



APPLICATION ACCEPTED: July 25, 2007
PLANNING COMMISSION: November 29, 2007
BOARD OF SUPERVISORS: TBD

County of Fairfax, Virginia

November 14, 2007

STAFF REPORT

SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2002-PR-031

PROVIDENCE DISTRICT

APPLICANT:	The MITRE Corporation
ZONING:	C-3, HC
PARCEL(S):	30-3 ((28)) 3A1 and 4A3
ACREAGE:	19.68 acres
PLAN MAP:	Office Use
SE CATEGORY:	Category 6: Waiver of Certain Sign Regulations
PROPOSAL:	To amend SE 2002-PR-031 previously approved for a waiver of certain sign regulations in order to permit an additional free standing directional sign.

STAFF RECOMMENDATIONS:

Staff recommends that **SEA 2002-PR-031** be approved 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 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.

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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/

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.

The approval of this special exception 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.

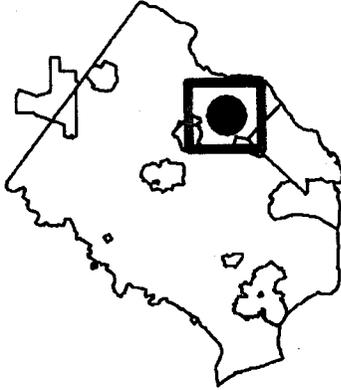
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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).

Special Exception Amendment

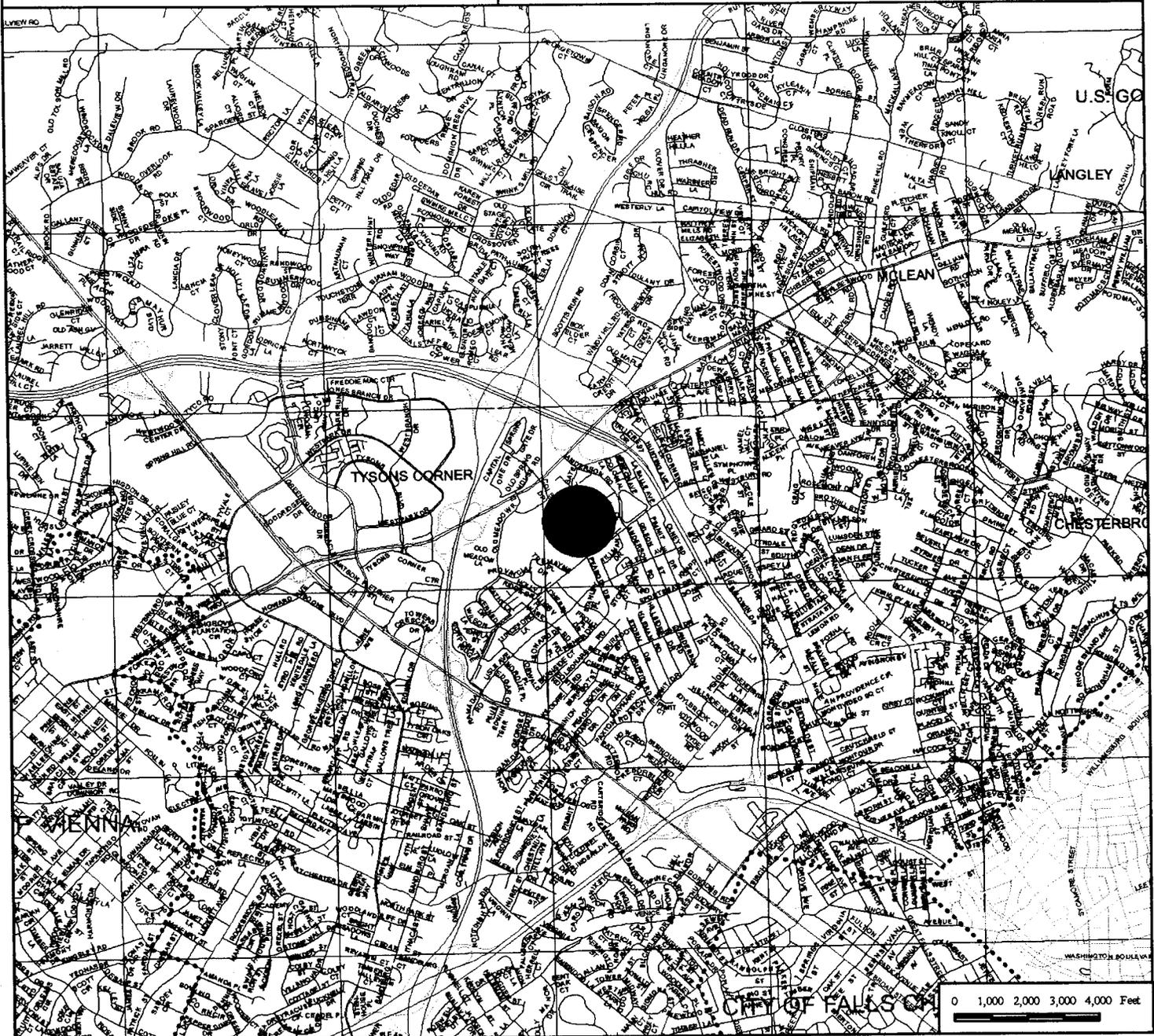
SEA 2002-PR-031



Applicant:
Accepted:
Proposed:

THE MITRE CORPORATION
07/25/2007
AMEND SE 2002-PR-031 PREVIOUSLY
APPROVED FOR WAIVER OF CERTAIN SIGN
REGULATIONS TO PERMIT ONE ADDITIONAL
FREESTANDING SIGN

Area: 19.6 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect: 09-0620
Art 9 Group and Use: 6-17
Located: 7515 AND 7525 COLSHIRE DRIVE
Zoning: C-3
Plan Area: 2,
Overlay Dist:
Map Ref Num: 030-3- /28/ /0003A1 /28/ /0004A3



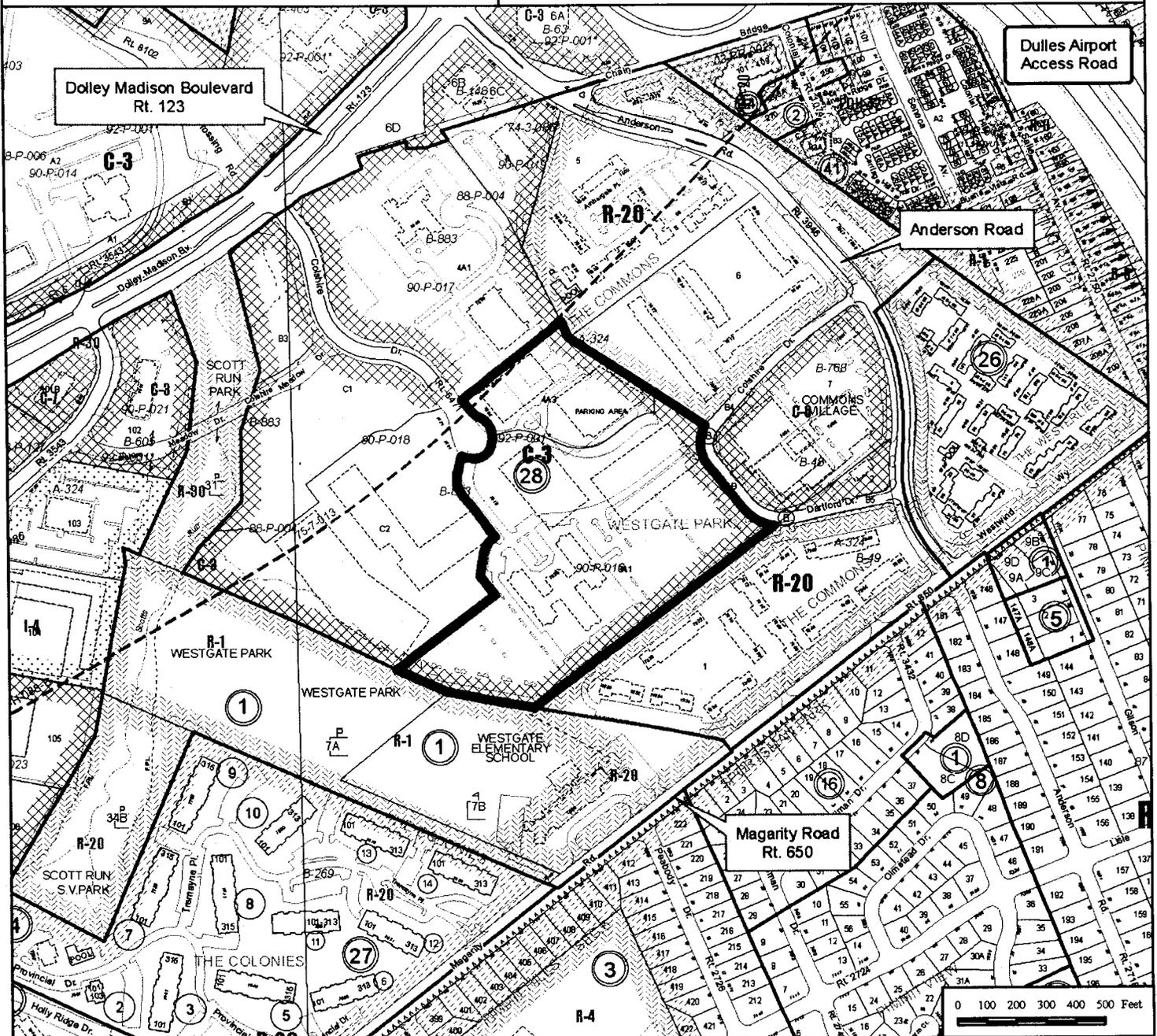
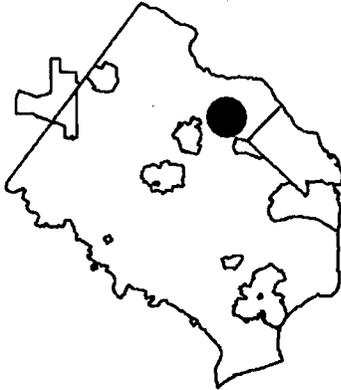
Special Exception Amendment

SEA 2002-PR-031

Applicant:
Accepted:
Proposed:

THE MITRE CORPORATION
07/25/2007
AMEND SE 2002-PR-031 PREVIOUSLY APPROVED FOR WAIVER OF CERTAIN SIGN REGULATIONS TO PERMIT ONE ADDITIONAL FREESTANDING SIGN

Area: 19.6 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect: 09-0620
Art 9 Group and Use: 6-17
Located: 7515 AND 7525 COLSHIRE DRIVE
Zoning: C-3
Plan Area: 2,
Overlay Dist:
Map Ref Num: 030-3- /28/ /0003A1 /28/ /0004A3



MITRE

CAMPUS WAYFINDING

OCTOBER 5, 2007

EXISTING MITRE CAMPUS PLAN

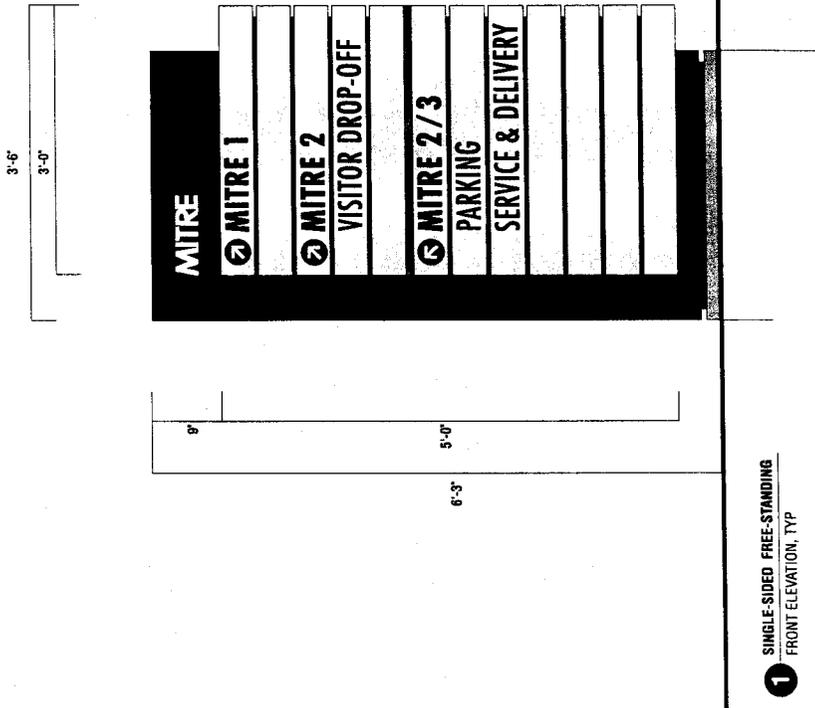
Sign No.	Sign Type	Description	Maximum Sign Area Dimensions	Mounting Condition
1	AA	Primary Directional - Single Sided	3'-6" wide x 6'-3" high 22.00 sq. ft.	Freestanding - Existing
2	AA	Primary Directional - Single Sided	3'-6" wide x 6'-3" high 22.00 sq. ft.	Freestanding - Existing
3	AA	Secondary Directional - Double Sided	3'-6" wide x 6'-3" high 22.00 sq. ft.	Freestanding - Existing
4	BB	Secondary Directional - Double Sided	3'-6" wide x 4'-1 1/2" high 14.50 sq. ft.	Freestanding - Existing
5	BB	Secondary Directional - Single Sided	3'-6" wide x 4'-1 1/2" high 14.50 sq. ft.	Freestanding - Existing
6	BB	Secondary Directional - Single Sided	3'-6" wide x 4'-1 1/2" high 14.50 sq. ft.	Freestanding - Existing
7	BB	Secondary Directional - Single Sided	3'-6" wide x 4'-1 1/2" high 14.50 sq. ft.	Freestanding - Existing
8	BB	Secondary Directional - Single Sided	3'-6" wide x 4'-1 1/2" high 14.50 sq. ft.	Freestanding - Existing
9	BB.1	Secondary Directional - Single Sided	1'-3" wide x 1'-8" high 2.1 sq. ft.	Freestanding - Existing
Summary:			Total existing signage. Freestanding	141.00 sq. ft.

Note: (1) Applicant reserves the right to change or alter its name, logo, or any other corporate identification, so long as the Applicant complies with the limitations of this Comprehensive Corporate Identification Sign Program (i.e. height of lettering, maximum square footage, etc). Applicant may decline to utilize approval(s) associated with this Special Exception on any or all of its buildings and instead comply with the regulations of Section 12 (Signs) of the Fairfax County Zoning Ordinance.

PROPOSED ADDITIONAL SIGNAGE

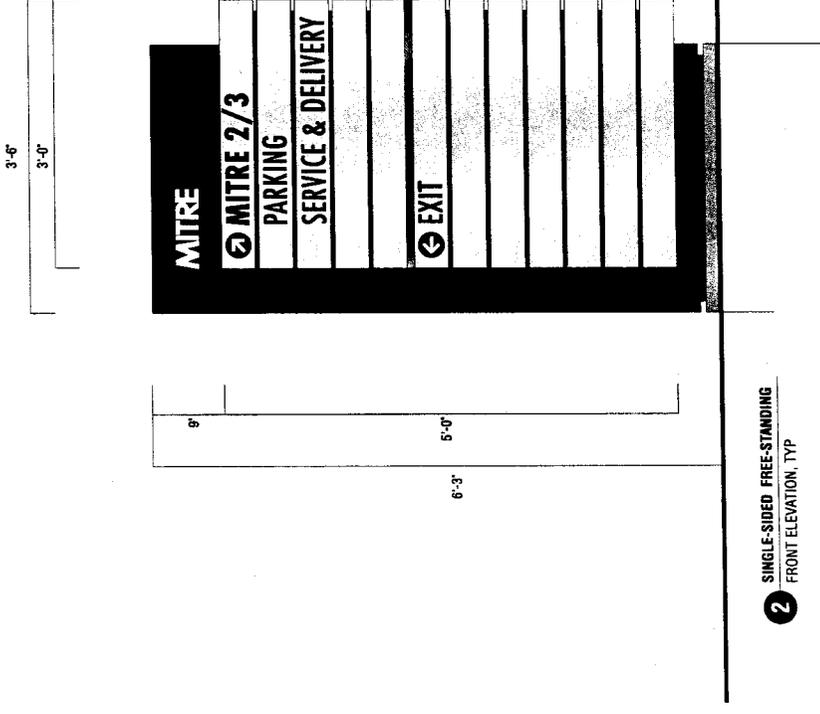
Sign No.	Sign Type	Description	Maximum Sign Area Dimensions	Mounting Condition
10	LL	Secondary Directional - Single Sided	7'-0" wide x 6'-2" high	Freestanding
Summary:			Total proposed signage. Freestanding (to be constructed)	43.00 sq. ft.

PROJECT MITRE Corporate Office Campus		SIGN TYPE SHEET NAME		DESCRIPTION		PROJECT NO. 9910.00	
CLIENT Ai		PROJECT PHASE SCALE		DATE 10.5.07		PROJECT A.1 DESIGN FIRM Callagher & Associates	



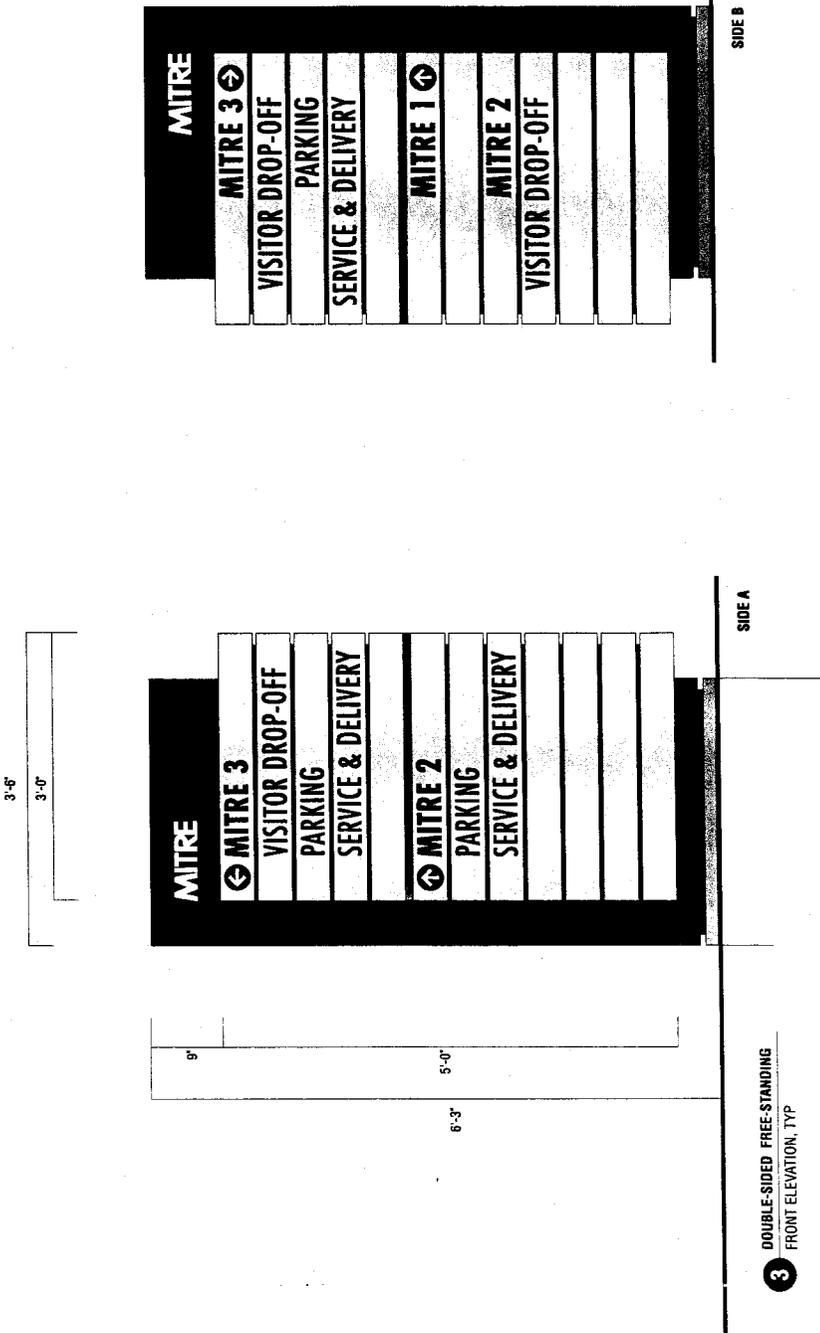
1 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus		SIGN TYPE Single-sided Free-standing		DESCRIPTION		MATERIALS		MOUNTING		SHEET NO. 1.00
CLIENT AI		SHEET NAME Primary Directional		PROJECT NAME Permit Set		PROJECT NO. 9910.00		DESIGN FIRM Callagher & Associates		
		SCALE 3/4" = 1'		DATE 10.5.07						

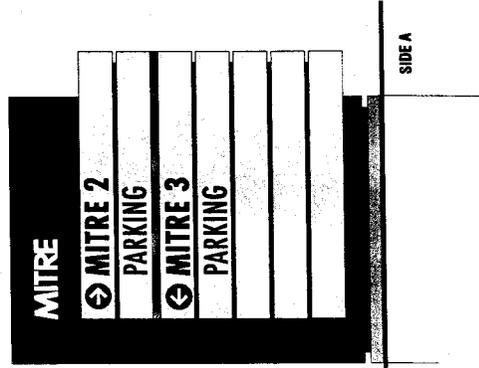
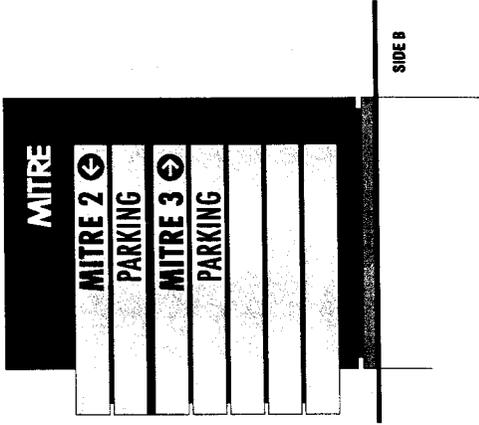
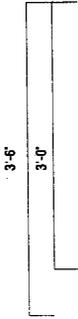


2 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus	SIGN TYPE Single-sided Free-standing	DESCRIPTION Single-sided Free-standing	MATERIALS 	NUMBER 	SHEET NO. 2.00
PROJECT PRICE Permit Set		SCALE 3/4" = 1'		DATE 10.5.07	

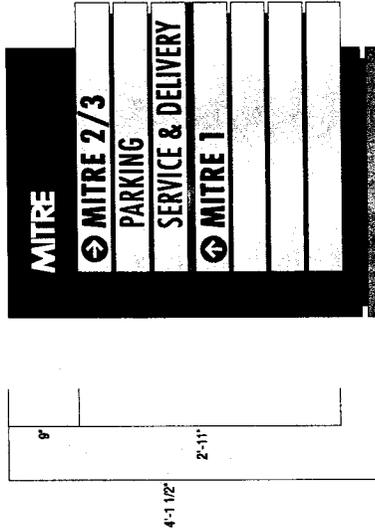
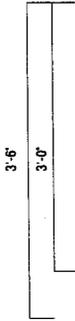


PROJECT MITRE Corporate Office Campus	FORM TYPE Double-sided Free-standing	DESCRIPTION	MATERIALS	MOUNTING	SHEET NO. 3.00
	SHEET NAME Secondary Directional				
CLIENT AI	PROJECT NAME Permit Set	PROJECT NO. 9910.00			DESIGN FIRM Callagher & Associates
	SCALE 3/4" = 1'	DATE 10.5.07			



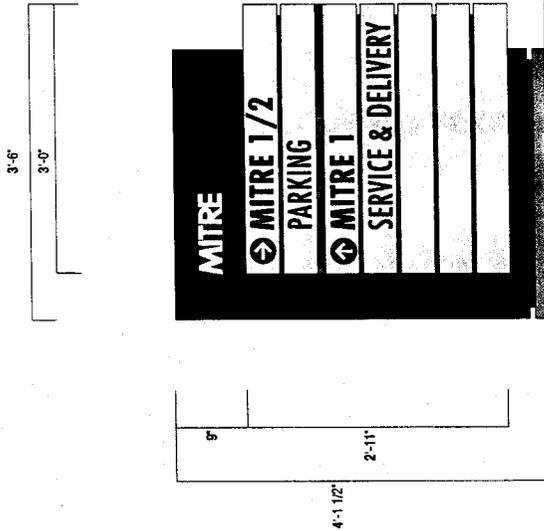
4 DOUBLE-SIDED, FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus		SHEET NO 4.00		DESIGN FIRM Gallagher & Associates	
CLIENT AI		SHEET NAME Secondary Directional		MATERIALS MITRE/THO	
PROJECT PHASE Permit Set		PROJECT NO. 9910.00		DESCRIPTION DOUBLE-SIDED, FREE-STANDING FRONT ELEVATION, TYP	
SCALE 3/4" = 1'		DATE 10.5.07		MITRE/THO	



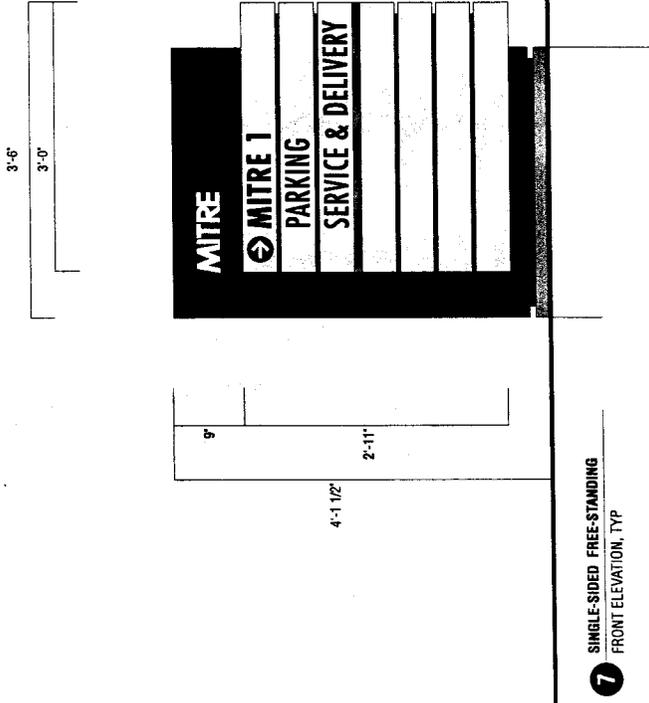
5 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus	FORM TYPE Single-sided Free-standing	DESCRIPTION	MATERIALS	MOUNTING	SHEET NO. 5.00	DESIGN FIRM Gallagher & Associates
	SHEET NAME Secondary Directional					
CLIENT AI	PROJECT PHASE Permit Set	PROJECT NO. 9910.00				
	SCALE 3/4" = 1'	DATE 10.5.07				



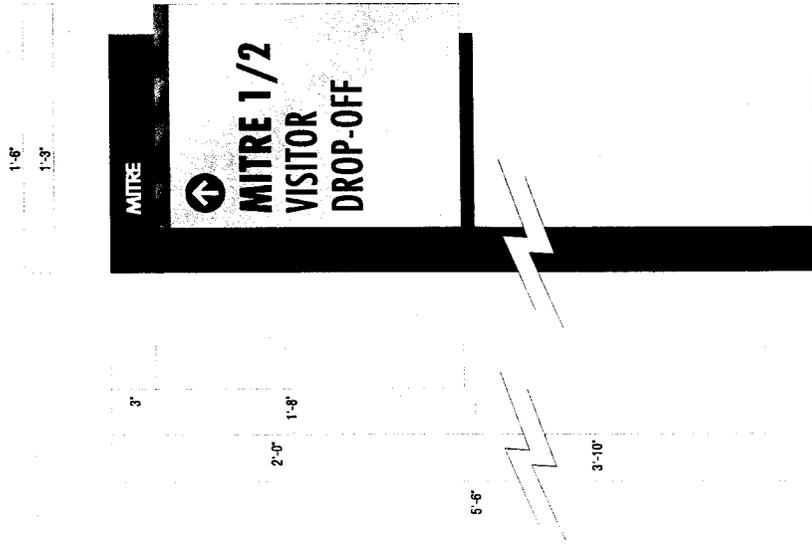
6 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus		BUILDING TYPE Single-sided Free-standing		SHEET NO. 6.00	
CLIENT AI		SHEET NAME Secondary Directional		DESIGN FIRM Callagher & Associates	
PROJECT PHASE Permit Set		PROJECT NO. 9910.00		MATERIALS	
SCALE 3/4" = 1'		DATE 10.5.07		MOUNTING	
DESCRIPTION		(Empty space for description)			



7 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT Mitre Corporate Office Building	CLIENT AI	DESCRIPTION	MATERIALS	NOTING	SHEET NO 7.00 DESIGN FIRM Gallagher & Associates
		SIGN TYPE Single-sided Free-standing SHEET NAME Secondary Directional PROJECT NAME Permit Set SCALE 3/4" = 1'	PROJECT NO. 9910.00 DATE 10.5.07		



9 SINGLE-SIDED FREE-STANDING
FRONT ELEVATION, TYP

PROJECT MITRE Corporate Office Campus		SIGN TYPE Single-sided Free-standing		DESCRIPTION		MATERIALS		IDENTIFICATION		SHEET NO. 9.00
CLIENT AI		SHEET NAME Secondary Directional		PROJECT NAME Permit Set		PROJECT NO. 9910.00		DESIGN FIRM Gallagher & Associates		
		SCALE 1/8" = 1"		DATE 10.5.07						

7'-0"



1'-4"

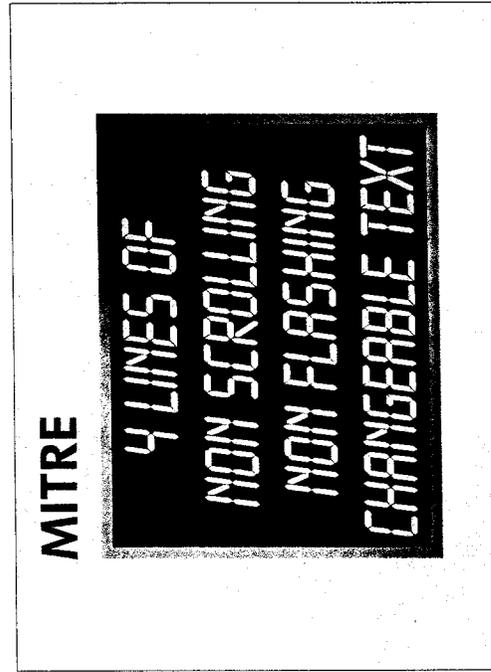
Top View

7'-0"

4'-8"

eq.

eq.



5'

3'-2" 3'-6"

2"

1'-0"

10 SINGLE SIDED - FREE STANDING
FRONT ELEVATION

1'-4"

2"

2"



Side View

Painted aluminum cabinet.
Color: Matthews Brushed Aluminum

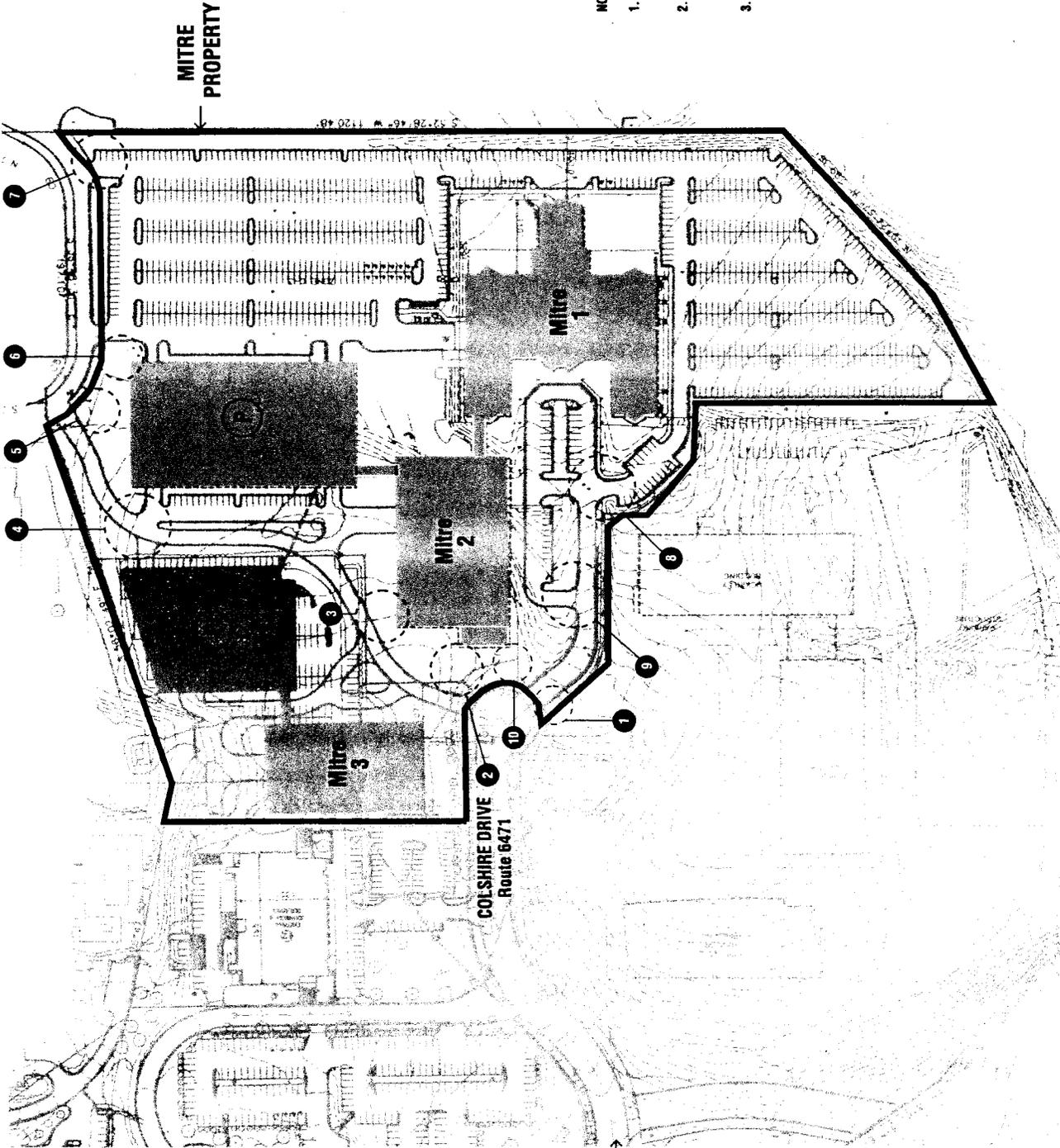
1/2" thick painted acrylic letters.
Color: MITRE Blue

Programmable Amber LED display

2" reveal.
Color: MITRE Blue.

Painted aluminum base.
Color: Matthews Brushed Aluminum

PROJECT Mitre Corporate Office Campus	SIGN TYPE Sign Type LL	SHEET NAME Secondary Directional	PROJECT NO. 9910.00	DATE 10.5.07	SCALE 1/2" = 1'	NOTE:	NOTE:	NOTE:	QUANTITY: 1	10.00	DESIGN FIRM Callagher & Associates
						CLIENT	PROJECT PHASE Construction	NOTE:	NOTE:	NOTE:	NOTE:

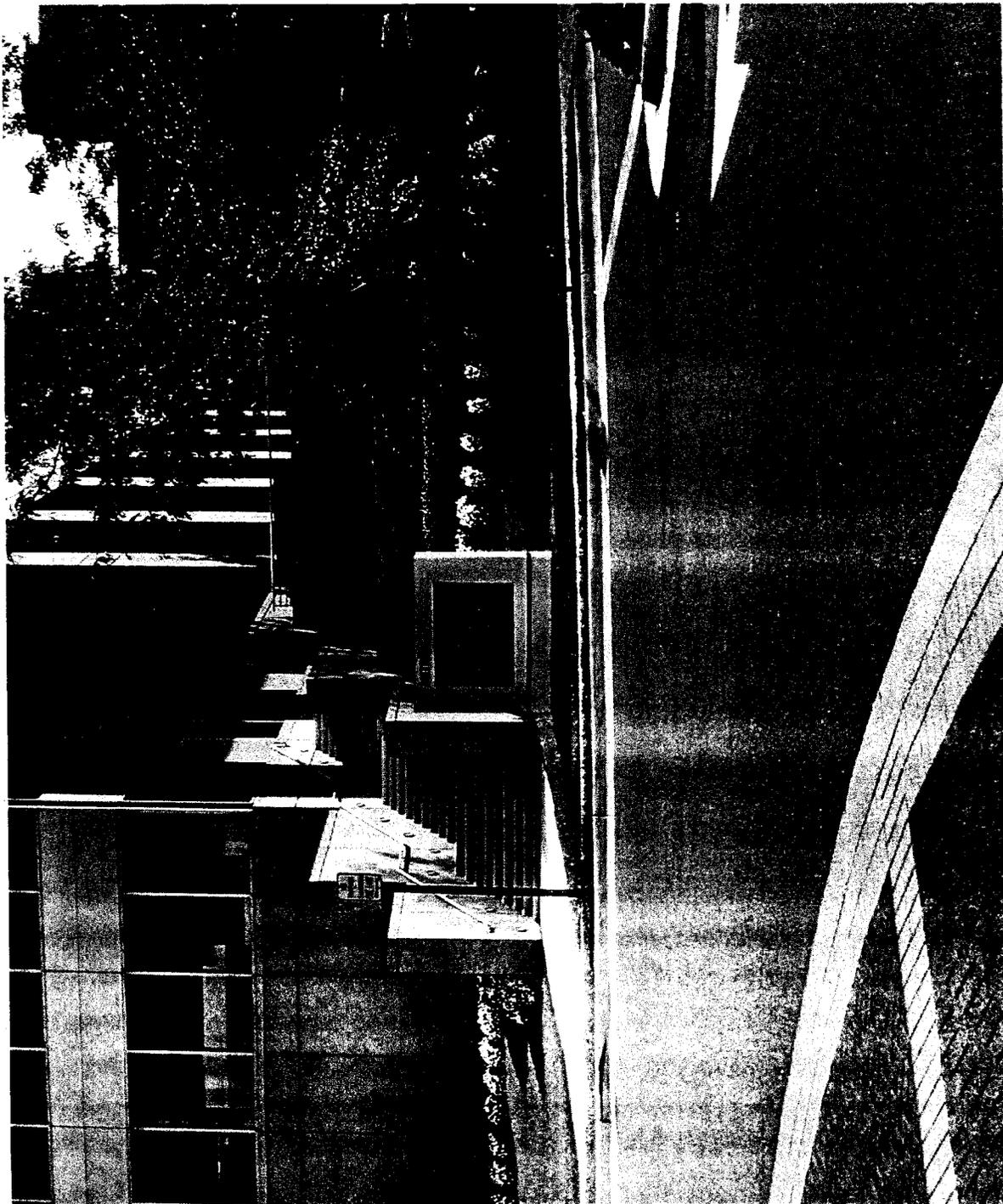


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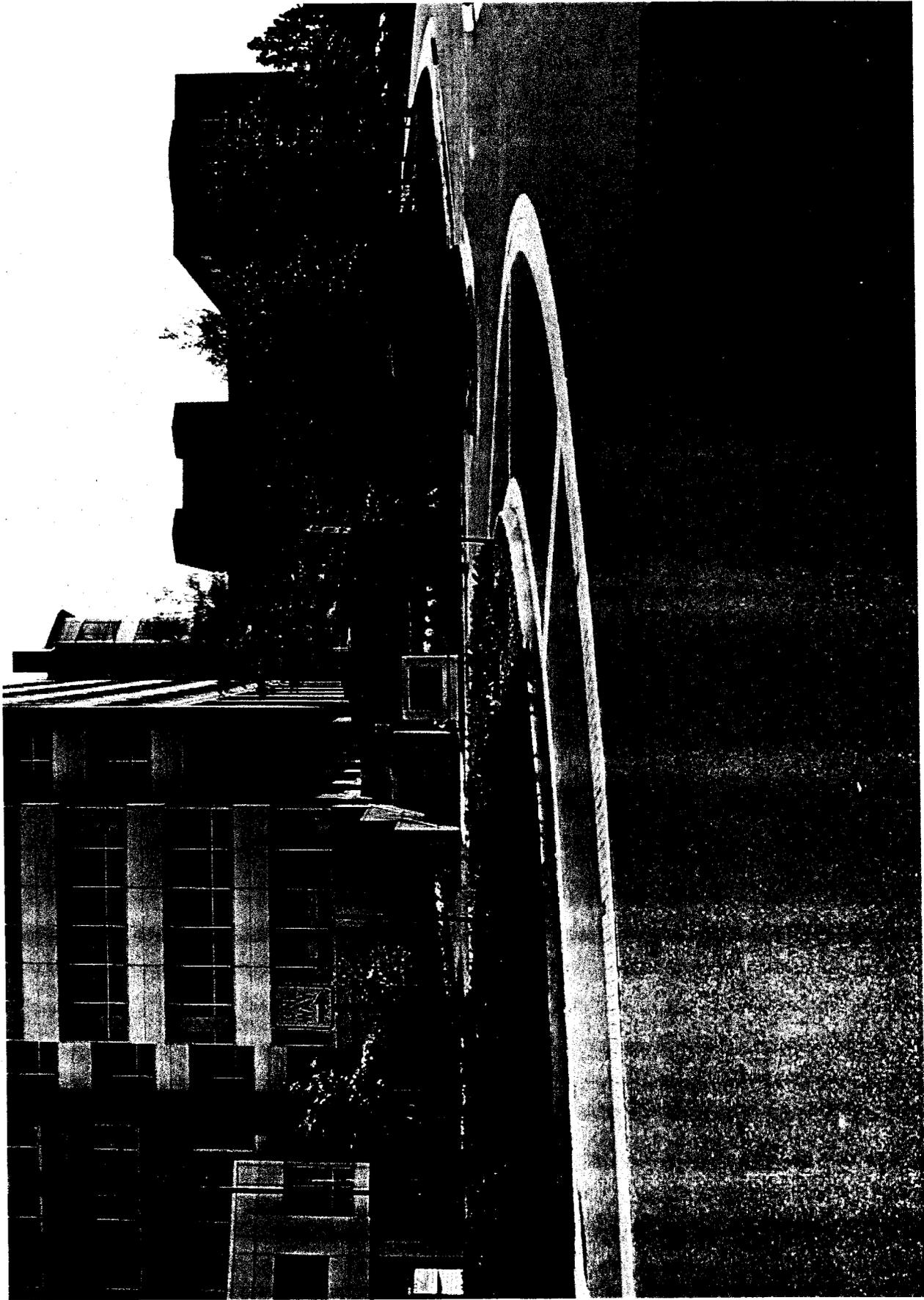
NOTES:

1. The site layout is consistent with the GOP approved with PCA 92-P-001-3 by Fairfax County on May 7, 2001.
2. The Applicant reserves the right to alter the text or colors of the signs so long as the Applicant complies with the design guidelines and size limitations of this Sign Program.
3. The Applicant reserves the right to install any other signage that is not included in this Sign Program in accordance with the provisions of Article 12 of the Fairfax County Zoning Ordinance.

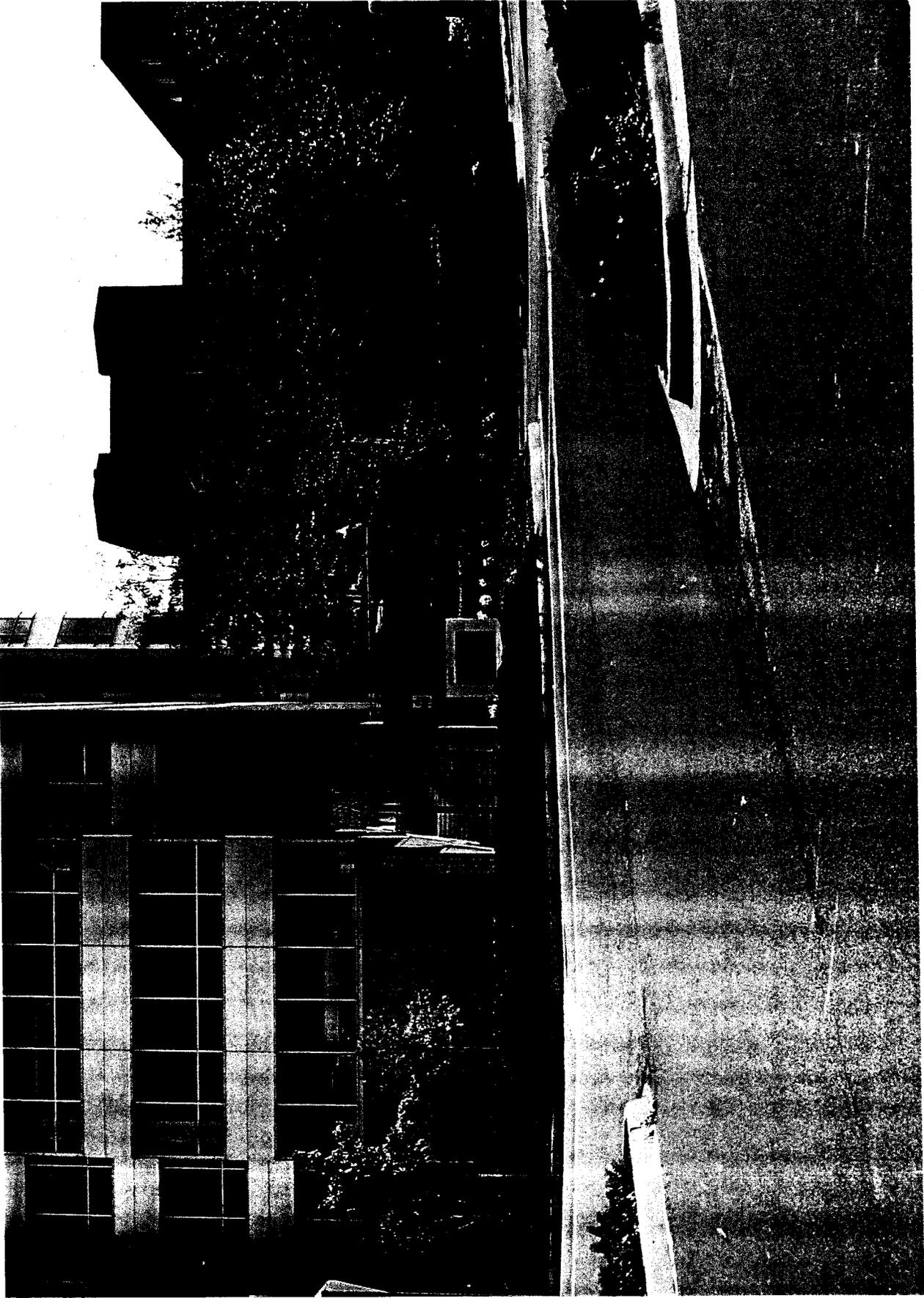
PROJECT		SHEET NO.	
Mitre Corporate Master Site Plan		EXT.1	
SIGN TYPE		DESIGN FIRM	
Sign Location Plan		Callagher & Associates	
SHEET NAME		PROJECT NO.	
Site Plan		9910.00	
PROJECT PHASE		DATE	
Permit Set		10.05.07	
CLIENT		SCALE	
AI			



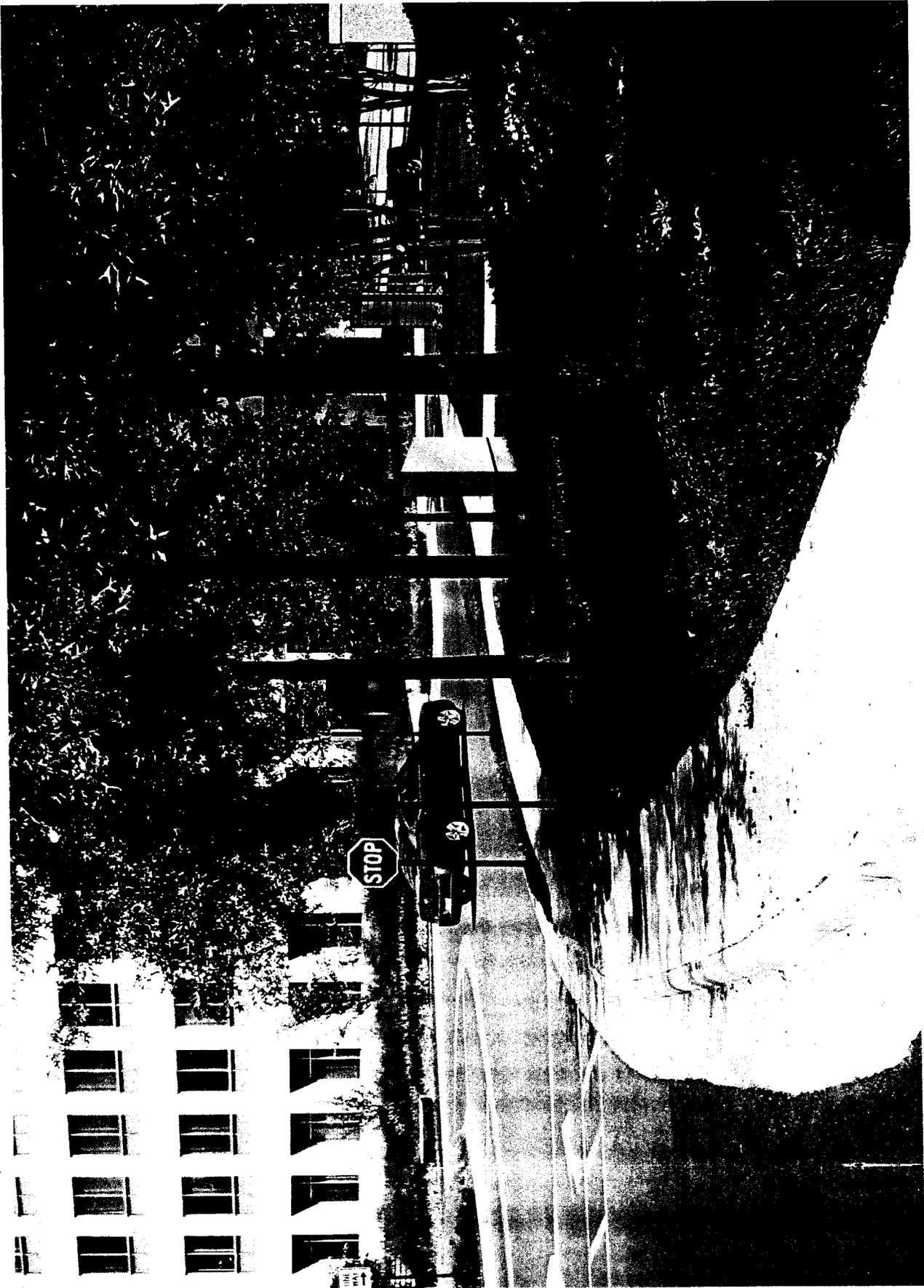
<p>PROJECT Mitre Corporate Office Campus</p> <p>CUSTOMER</p>	<p>SIGN TYPE Sign Type LL</p> <p>SHEET NAME Secondary Directional</p> <p>PROJECT NO. 9910.00</p> <p>SCALE NTS</p> <p>DATE 10.5.07</p>	<p>NOTES:</p>	<p>NOTES:</p>	<p>NOTES: QUANTITY: 1</p>	<p>10.01</p> <p>DESIGN / ITRM</p> <p>Callagher & Associates</p>
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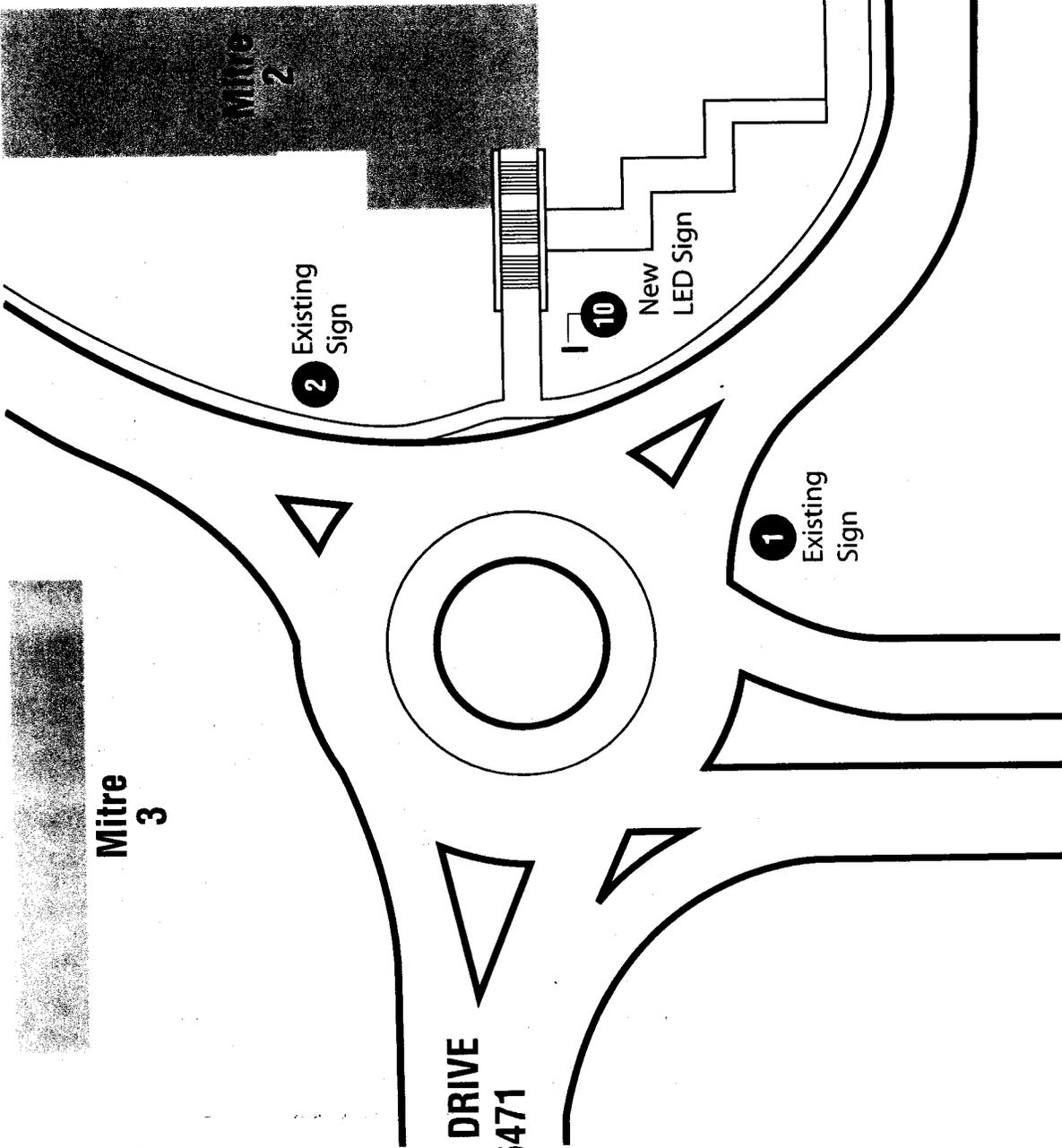
PROJECT Mitre Corporate Office Campus	USER TYPE Sign Type LL	SHEET NAME Secondary Directional	PROJECT NO. 9910.00	DATE 10.5.07	NOTES:	NOTES:	QUANTITY: 1	SHEET NO. 10.02	DESIGN FIRM Callagher & Associates
	PROJECT PHASE Construction								



PROJECT Mitre Corporate Office Campus	CLIENT	SIGN TYPE	Sign Type LL	NOTES:	NOTES:	NOTES:	NOTES:	QUANTITY: 1	10.03	DESIGN FIRM Callagher & Associates
		SHEET NAME	Secondary Directional							
		PROJECT NO.	9910.00							
		PROJECT PHASE	Construction							
		SCALE	NTS							
		DATE	10.5.07							



PROJECT Mitre Corporate Office Campus	SIGN TYPE Sign Type LL	SHEET NAME Secondary Directional	PROJECT NO. 9910.00	DATE 10.5.07	NOTES:	NOTES:	NOTES:	NOTES: QUANTITY: 1	SHEET NO. 10.04	DESIGN FIRM Callagher & Associates



COLSHIRE DRIVE
Route 6471

PROJECT Mitre Corporate Office Campus	SIGN TYPE Sign Type LL	NOTES	NOTES	QUANTITY: 1	10.05
	SHEET NAME Secondary Directional				
CLIENT	PROJECT NAME Construction	PROJECT NO. 9910.00	DATE 10.5.07	DESIGN FIRM Callagher & Associates	
	SCALE NTS				

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

DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a Category 6 Special Exception Amendment (**SEA 2002-PR-031**) for a waiver of certain sign regulations in order to add one directional sign with Light Emitting Diode (LED) lighting. The applicant specifically proposes to amend **SE 2002-PR-031**, which essentially established a “sign plan” for the MITRE Campus in Tysons Corner and specified, among other things, that signage on the campus would include nine (9) unlit directional signs.

The applicant proposes to add one (1) freestanding directional LED sign on the MITRE campus at the cul-de-sac of Colshire Drive in the West*Gate development in Tysons Corner. Condition 6 of **SE 2002-PR-031** specifically stated, “The proposed signs shall not be lit.” LED signs have been determined to be lighted signs, because the text is illuminated. The dimensions of the proposed sign are 6’2” high by 7’0” wide. The area of the requested sign would be approximately 43 square feet. The Zoning Ordinance limits directional signs to two (2) square feet in area. The proposed sign would operate 24 hours a day, seven days a week. The applicant requests the sign in order to reduce confusion of visitors and drivers to the site due to the unique nature of the layout of the campus buildings and the relative inexperience of many visitors to the site. The site currently has three separate buildings, each with separate parking facilities. Each of the buildings has at least one conference room, with MITRE 2 having two conference rooms and one executive conference room. Furthermore, a typical visitor to the site is an infrequent one—often newcomers from outside industry or government attending meetings hosted by MITRE or even off-site employees attending meetings.

LOCATION AND CHARACTER

Site Description and Existing Use:

The 19.68-acre subject site for **SEA 2002-PR-031** is zoned C-3 and HC and its existing use is Office. The site is located within the West*Gate development, in the Colshire Drive Land Bay (Land Bay B). It is generally located to the south of Route 123 at the terminus of Colshire Drive. The subject site is also known as the MITRE campus and consists of three office buildings, two parking structures, and two surface parking lots. The primary access to the site is provided via two entrances off the Colshire Drive cul-de-sac. In addition, secondary access to the site is provided from the east via the Commons Village Shopping Center from Colshire Drive.

Surrounding Uses:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
West	Office (West*gate)	C-3	Office
North	Multifamily residential, (The Commons Apartments)	R-20	Residential 16-20 du/ac
South	Residential, multi-family (The Commons Apartments)	R-20	Residential, 16-20 du/ac; retail
East	Retail, (Commons Village Shopping Center)	C-6	Office

BACKGROUND

The subject site is part of the West*Gate office park, which is subject to proffers approved pursuant to **RZ 92-P-001, PCA 92-P-001, PCA 92-P-001-2, PCA 92-P-001-3, RZ 1998-PR-052, and PCA 1998-PR-052**. The files for these cases are on file with the Department of Planning and Zoning (DPZ). Because the subject site is part of the overall West*Gate office park, relevant history includes the following.

On June 22, 1992, the Board of Supervisors approved **RZ-92-P-001** to rezone 128.63 acres, which comprised the West*gate site, from I-3, I-4, C-2, C-7, R-1 and HC Districts to the C-3 and HC Districts, subject to proffers dated June 19, 1992. This rezoned area consisted of most of the parcels within Sub-Unit R-2 of the Tysons Corner Urban Center in the Comprehensive Plan.

On January 27, 2003, the Board of Supervisors approved **SE 2002-PR-031** for waiver of certain sign regulations, in effect, approving a signage plan entitled "MITRE Campus Wayfinding" dated November 4, 2002, prepared by Gallagher & Associates. This signage plan provided for nine directional signs at the MITRE office campus totaling 140.6 square footage of signage. Under this application, the following signs were approved:

DIRECTIONAL SIGNS APPROVED		
Location	Maximum allowable sign area per Par.2(G) of Sect. 12-103 of the zoning Ordinance	Approved
Sign 1--at westernmost entrance off of Colshire Drive cul-de-sac	2 SF	22 SF
Sign 2--at easternmost entrance off of Colshire Drive cul-de-sac	2 SF	22 SF
Sign 3 -- at entrance to MITRE 3 parking structure	2 SF	22 SF
Sign 4-- at entrance to MITRE 2 parking structure	2 SF	14.5 SF
Sign 5-- at northernmost entrance on Colshire Drive, opposite Commons Village Shopping Center	2 SF	14.5 SF
Sign 6--at middle entrance on Colshire Drive, opposite Commons Village Shopping Center	2 SF	14.5 SF
Sign 7--at southernmost entrance on Colshire Drive, opposite Commons Village Shopping Center	2 SF	14.5 SF
Sign 8--at entrance to MITRE 1 and MITRE 2 buildings	2 SF	14.5 SF
Sign 9--at entrance to MITRE 2 building	2 SF	2.1 SF
Totals	Total Sign Area Permitted=18SF	Total Approved Sign Area 140.6 SF

DIRECTIONAL SIGN REQUESTED		
Location	Maximum allowable sign area per Par.2(G) of Sect. 12-103 of the zoning Ordinance	Requested
Sign 10--directly in front of MITRE 2 building	2 SF	43 SF

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area:	McLean Planning District, Area II
Planning Sector:	Tysons Corner Urban Center
Plan Map:	Office
Unit/Subunit	R-2

Plan Text:

On page 36 of the 2007 edition of the Area II Plan for the Tysons Corner Urban Center in URBAN DESIGN, Principles of Urban Design, the Comprehensive Plan states:

In addition to defining urban or suburban character, urban design principles help define the image of an area. Urban design applies to more than just architecture; the entire built environment is examined through the eyes of the user. This includes the appearance of buildings, open spaces, roadways, pedestrian paths, signage — anything that people see and use to inform themselves about where they are, how to go elsewhere, and where different activities take place.

Also on page 36, the Comprehensive Plan states that there are four principles of Urban Design, and that one of those principles is Order. The Comprehensive Plan specifies that:

Order: Good design is logical and well organized. It presents a clear and coherent image. This can be achieved if an area can be quickly and easily understood: the area is laid out in a pattern that can be recognized and remembered. Drivers and pedestrians alike benefit from good signage and memorable landmarks (such as a distinctive building or a park) at decision points like major intersections.

Similarly, the Comprehensive Plan lists Appeal and Identity as other principles of Urban Design on page 37 of the 2007 edition of the Area II Plan for Tysons Corner. The Comprehensive Plan indicates that:

Identity is also manifested through a cohesive use of design elements such as streetscape and signage.

...visual unity is usually created within sub-areas through harmony of scale, style, landscaping, coordinated signage, and color.

On Page 42 in the 2007 Area II Plan, as amended through January 27, 2003, in the DESIGN CONCEPT FOR TYSONS CORNER URBAN CENTER section of the Tysons Corner Urban Center, the Comprehensive Plan states:

Pedestrian and Transit Oriented Design

“Good signage also contributes to good pedestrian-oriented design: signage within a development should be coordinated in terms of scale, design, color, materials, and placement in order to create a unified identity for the area. Signage should also be designed appropriately for its location and purpose, i.e., signs by the roadway to be read by motorists or signs along pedestrian paths or on a building should provide high legibility for individual businesses and corporations.”

ANALYSIS

Sign Plan (Copy at front of staff report)

Title of SEA Plat:	MITRE Campus Wayfinding
Prepared By:	Gallagher & Associates
Original and Revision Dates:	May 31, 2007 and revised through October 5, 2007

The sign plan consists of 16 sheets, in addition to the cover sheet that provides the title of the plan. Sheet A-1 contains two tables; the first table describes the existing MITRE campus sign plan and lists the nine (9) directional signs approved by **SE 2002-PR-031**. The second table describes the additional sign proposed here. Sheets 1 through 9 graphically depict the signs approved by **SE 2002-PR-031**. Sheets 1 and 2 depict the 6'3" tall by 3'6" wide directional signs that are currently located along the cul-de-sac at Colshire Drive. Sheet 3 depicts the 6'3" tall by 3'6" wide double-sided freestanding sign. Sheets 4, 5, 6, 7 and 8 show the shorter signs onsite. Each of these signs stands at 4'1 1/2" tall and 3' 6" wide. Sheet 9 portrays a taller single-sided freestanding standing 5'6" tall and 1'6" wide sign on the site. Ext. 1 is a sheet that shows a map that depicts the entire campus with each of the 10 signs called out at their respective locations.

Sheet 10 is a front elevation of the sign proposed by this application. The proposed sign is 6'2" tall and 7'0" wide. The measurement from the front to the back is 1'4". Sheet 10 also shows the LED feature, which is only on the front side of the sign, as four lines of non-scrolling non-flashing changeable amber text. The applicant has indicated that the text would change a maximum of two times in twenty-four hours. In addition to the LED face, the sign will consist of an aluminum cabinet that will be painted Matthews Brushed Aluminum with 1/2" thick 5" high painted acrylic letters spelling MITRE near the top of the cabinet. The letters will be painted MITRE blue. Finally, the sign will have a 2" tall MITRE blue reveal and 1'0" tall painted aluminum base at the bottom of the sign.

The applicant has also submitted five additional sheets that show how the sign will appear on the ground by the use of superimposing the proposed sign on photographs of the existing campus. Sheets 10.01-10.04 show how pedestrians and drivers on the cul-de-sac will experience the sign on the cul-de-sac. Sheet 10-05 shows a closer overhead view of how the proposed LED sign will fit with the existing signs on the cul-de-sac.

Land Use Analysis

The proposed sign does not present any significant land use issues with respect to the use and intensity guidance contained in the Comprehensive Plan. In light of the Plan focus on improving the visual image and providing a clear sense of place for development in the Tysons Corner area, the applicant's proposal to improve the directional signage is in harmony with the intended spirit of the Plan. However, staff has requested the applicant to consider the issue of lighting of the proposed sign.

Issue: Lighting

During the review and approval of **SE 2002-PR-031**, a development condition was accepted that prohibits lighted signs. The signs associated with **SE 2002-PR-031** were located throughout the MITRE campus, including in areas closer to residential development. Therefore, with submission of this request, the effect of the LED lighting on adjacent properties, especially residential development, was of specific concern. The proposed LED sign sits at the end of the Colshire Drive cul-de-sac, approximately 1100 feet from the intersection of Colshire and Route 123. Further, Colshire Drive curves slightly as it moves away from this main intersection. The closest residential development is The Commons. To the North, the Commons sits approximately 700 feet from the proposed sign; to the south, the Commons sits approximately 900 feet from the proposed sign.

Resolution:

Given the placement of the sign, the direction of the face of the LED feature with lighted lettering and proposed development condition requiring the lighting to meet Zoning Ordinance standards, staff feels that that the sign's lighting impact will be minimal. The sign will be placed next to MITRE 2, the building at the terminus of Colshire Drive, and will be largely visible only from those traveling in the cul-de-sac. The lighted letters will face the Colshire Drive cul-de-sac and will be obscured to both the areas of the Commons by various existing buildings and the existing landscaping. The proposed sign will have only lighted letters; there will be no other lighting of this or any other sign on the MITRE campus. As shown on the applicant's submitted photographs that have superimposed the sign at the site, the sign will stand at 6'2" in height, and be hidden by the existing structures on the site. In addition, given the curvature of Colshire Drive and the distance of this sign to the intersection with Route 123, it would be unlikely to affect Route 123 traffic—pedestrian or vehicular. Given the above considerations, this issue is resolved.

Transportation Analysis (Appendix 7)

There are no transportation issues associated with this application.

Environmental Analysis

There are no environmental issues associated with this application.

Zoning Ordinance Requirements (Appendix 8)

Directional Signs. Under Section 12-103(2)(G) of the Zoning Ordinance, signs that are displayed on site for the direction or convenience of the public (such as signs which direct traffic or identify the location of restrooms, public telephones, freight entrances or parking areas) are limited to two (2) square feet in area and cannot be located closer than five (5) feet to any lot line. The Zoning Ordinance does not limit the number of directional signs; therefore, a site can have an unlimited number of directional signs. As discussed above, the site currently has

nine (9) directional signs. The applicant requests one additional directional sign to provide more specific information regarding the location of meeting rooms and directions to many first time or unacquainted visitors who are navigating the three buildings, two parking structures and multiple conference rooms on the site.

Additionally, under Section 12-104, of the Zoning Ordinance, certain types of signs are specifically prohibited. Staff has analyzed these prohibitions with respect to the sign proposed here and has determined none of these prohibitions applicable.

Special Exception Requirements

General Special Exception Standards (Sect. 9-006)

General Standard 1 and 2 require that the proposed use be in harmony with the adopted comprehensive plan and the general purpose and intent of the applicable zoning district regulations. The Comprehensive Plan recommends that signs in the Tysons Corner Urban Center should provide high legibility for corporations. The Plan also notes that signage should be designed appropriately for its location and purpose. Therefore, staff finds that the proposed application is in harmony with the adopted Comprehensive Plan and the general purpose and intent of the applicable zoning district regulations.

General Standard 3 requires that the proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties. In order to ensure that these signs are harmonious with and will not affect the adjacent properties, staff recommends that the majority of the previously-approved development conditions, which limited the number, size, location and type of signs, be carried forward with this application. With the implementation of these proposed development conditions, staff believes that this standard is satisfied.

General Standards 4, 5, 6 and 7 relate to traffic impact, landscaping and screening, open space, drainage, utilities, parking and loading and are not applicable to this application.

General Standard 8 states that signs are regulated by Article 12 but that stricter requirements may be imposed by the Board. The applicant is seeking a special exception for a waiver of the sign regulation in Article 12 as they apply to the size of the new directional sign on Colshire Drive.

Additional Standards for Waiver of Certain Sign Regulations (Sect. 9-620)

The purpose of this special exception is to provide some relief where appropriate for those signs in the C and I districts which, because of certain unusual circumstances as specified below, do not provide identification as intended by the sign regulations. In the C and I districts, the Board may approve, either in conjunction with the approval of a rezoning or as a Category 6 special exception, a modification or waiver of the sign regulations in accordance with the following:

1. Such waiver may be for an increase in sign area, increase in sign height or different location of a sign, not otherwise provided by Sect. 12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this Ordinance, or the establishment of any sign prohibited by the provisions of Sect. 12-104.

The applicant is seeking an increase in the size of a directional sign. The applicant is not proposing the erection of a freestanding sign or off-site sign, not otherwise permitted by Article 12. Therefore, this standard has been satisfied.

2. Such waiver may be approved only when it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of location, topography, size or configuration of the lot; access to the lot; unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use.

Given the location of the site at the end of the cul-de-sac , which contains several other site entrances and the fact that this site contains three different buildings, with conference rooms in each, with separate main entrances and separate parking, staff believes that the proposed directional sign, which is larger than permitted by the Zoning Code, is necessary in order to provide the applicant with signage which will help infrequent visitors locate the correct building and parking onsite. With the implementation of the proposed development conditions, staff finds that this standard has been satisfied.

3. It is determined that such waiver will be in harmony with the policies of the adopted comprehensive plan.

The Comprehensive Plan recommends that in the Tysons Corner Urban Center there should be a clear sense of place for development in the Tysons Corner area. The Plan also notes that signage should be designed appropriately for its location and purpose. With the implementation of the staff-proposed development conditions, staff finds that the proposed application is in harmony with the adopted the adopted Comprehensive Plan.

4. A waiver of the sign provisions may be approved only in those locations where, based upon a review of the relationship of the sign to the land, buildings and conforming signs in the neighborhood, it is determined that the sign will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12.

Given the proposed conditions, the sign will not have any deleterious effect on the existing or planned development of adjacent properties and the proposed sign is consistent with the purpose and intent of Article 12.

In order to ensure that these signs are harmonious with and will not affect the adjacent properties, staff recommends a number of development conditions, many of which will be continued from the conditions approved in **SE 2002-PR-031**. With the implementation of these proposed development conditions, staff believes that the applicant's sign proposal will not have a deleterious effect on the existing or planned development of adjacent properties. Staff finds that the applicant's proposal is consistent with the purpose and intent of Article 12. Therefore, staff finds that this standard has been satisfied.

Overlay District Requirements

Highway Corridor (HC) (Sect. 7-1600)

While a small portion of this parcel lies within the Highway Corridor Overlay District, the provisions of the HC district do not regulate this use. Specifically, this proposal does not include a drive-in bank, a fast food restaurant, a quick-service food store, a service station or a service station/mini-mart.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff finds that SEA 2002-PR-031 is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends that SEA 2002-PR-031 be approved 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 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.

The approval of this special exception 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.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Development Conditions for SE 2002-PR-031
5. Zoning Interpretation Regarding LED sign
6. Plan Citations
7. Transportation Analysis
8. Applicable Zoning Ordinance Provisions Checklist
9. Glossary

PROPOSED DEVELOPMENT CONDITIONS
SEA 2002-PR-031
November 14, 2007

If it is the intent of the Board of Supervisors to approve **SEA 2002-PR-031** previously approved for a waiver of certain sign regulations, located at Tax Map Parcels 30-3 ((28)) 3A1 and 4A3, to permit an additional directional sign with LED features on the cul-de-sac of Colshire Drive pursuant to Sect. 9-620 of the Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved conditions are marked with an asterisk (*).

1. This Special Exception is granted for and runs with the land indicated in this application. It is not transferable to other land.*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Sign Plan approved with the application, as qualified by these development conditions.*
3. Signage shall be provided in substantial conformance with the Sign Plan, entitled *MITRE: Campus Wayfinding*, prepared by Gallagher and Associates and dated May 31, 2007 and revised through October 5, 2007, except as may be modified by these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Code.
4. A total of ten (10) directional signs shall be permitted as depicted on the sign plan. These signs shall be located no closer than five (5) feet to the street.
5. Notwithstanding the provisions of Paragraph 2 of Section 12-103, sign permits shall be obtained for all signs permitted pursuant to this Sign Plan.
6. With the exception of the proposed LED sign located at the terminus of the cul-de-sac on Colshire Drive, no sign shall be lit.
7. The lighting associated with the proposed LED sign shall be in accordance with the provisions of Part 9 of Article 14 of the Zoning Ordinance.
8. The text on the proposed LED sign will change no more than 2 times in a 24 hour period.
9. No sign shall move, display any flashing or intermittent lights nor have any features which could be construed as fluorescent or neon in character or color.*

10. All signs shall be for directional purposes only.*
11. All other signs shall conform with the requirements of Article 12 of the Zoning Ordinance.*

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. The Applicant shall be itself responsible for obtaining the required Sign Permit(s) through established procedures.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the sign permit(s) has (have) been issued. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/25/07
 (enter date affidavit is notarized)

I, Ben I. Wales, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

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in Application No.(s): SE 2002-PR-031
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
The MITRE Corporation Agents: Mark W. Kontos Sol Glasner Raymond F. Leavitt	7515 Colshire Drive McLean, VA 22102	Applicant/Owner
Jones Lang Lasalle America, Inc. Agents: Robert B. Shue Kem Shackelford Courtenay Abby J. Goodman	1717 Pennsylvania Avenue, N.W. Suite 1000 Washington, DC 20006	Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Gallagher & Associates Agent: John (nmi) Forgy	7735 Old Georgetown Road Bethesda, MD 20814	Agent/Graphics Consultant
Cooley Godward Kronish LLP Agents: Antonio J. Calabrese, Esquire Mark C. Looney, Esquire Colleen Gillis Snow, Esquire Andrew R. Levinson, Esquire Jill D. Switkin, Esquire Jeffrey A. Nein, AICP Meaghen P. Murray, Planner Ben I. Wales, Planner Katherine D. Youngbluth, Planner Jason R. Rogers, Planner Sara R. Duvall, Planner	Reston Town Center One Freedom Square 11951 Freedom Drive Reston, VA 20190	Attorney/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) The MITRE Corporation
7515 Colshire Drive
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- [] There are 10 or less shareholders, and all of the shareholders are listed below.
[] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

There are no shareholders. The MITRE Corporation is a non-profit Delaware corporation and is tax-exempt under 501(c)(3) of the Internal Revenue Code.

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Jones Lang Lasalle America, Inc.
1717 Pennsylvania Avenue, N.W.
Suite 1000
Washington, DC 20006

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Gallagher & Associates
7735 Old Georgetown Road
Bethesda, MD 20814 Neal J. Stephens

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Michael D. Stern
Anthony M. Stiegler

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/25/07
(enter date affidavit is notarized)

968 22a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

Cooley Godward Kronish LLP
Reston Town Center, One Freedom Square
11951 Freedom Drive
Reston, VA 20190

(check if applicable) [X] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g.

General Partner, Limited Partner, or General and Limited Partner)

- List of names and titles of partners including Jane K. Adams, Matthew J. Brigham, Alan S. Cohen, etc.

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(c)

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Cooley Godward Kronish LLP
Reston Town Center
One Freedom Square
11951 Freedom Drive
Reston, VA 20190(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Robert L. Eisenbach, III	Robert L. Jones	James E. Nesland
Brent D. Fassett	Barclay J. Kamb	Alison Newman
M. Wainwright Fishburn, Jr.	Richard S. Kanowitz	William H. O'Brien
Keith A. Flaum	Jeffrey S. Karr	Thomas D. O'Connor
Grant P. Fondo	Scott L. Kaufman	Vincent P. Pangrazio
Daniel W. Frank	Margaret H. Kavalaris	Timothy G. Patterson
Richard H. Frank	J. Michael Kelly	Anne H. Peck
William S. Freeman	Jason L. Kent	D. Bradley Peck
Steven L. Friedlander	James C. Kitch	Susan Cooper Philpot
Thomas J. Friel, Jr.	Michael J. Klisch	Benjamin D. Pierson
Koji F. Fukumura	Barbara A. Kosacz	Frank V. Pietrantonio
James F. Fulton, Jr.	Gary M. Kravetz	Mark B. Pitchford
Philip J. Gall	Kenneth J. Krisko	Michael L. Platt
William S. Galliani	Shira Nadich Levin	Christian E. Plaza
Stephen D. Gardner	Alan Levine	Lori R.E. Ploeger
John M. Geschke	Michael S. Levinson	Thomas F. Poche
Kathleen A. Goodhart	Elizabeth Lewis	Anna B. Pope
Lawrence C. Gottlieb	Michael R. Lincoln	Marya A. Postner
Shane L. Goudey	James C. T. Linfield	Steve M. Przesmicki
William E. Grauer	David A. Lipkin	Seth A. Rafkin
Jonathan G. Graves	Chet F. Lipton	Frank F. Rahmani
Paul E. Gross	Samuel M. Livermore	Thomas Z. Reicher
Kenneth L. Guernsey	Douglas P. Lobel	Eric M. Reifschneider
Patrick P. Gunn	Mark C. Looney	Michael G. Rhodes
Zvi Hahn	Michael X. Marinelli	Michelle S. Rhyu
John B. Hale	John T. McKenna	Paul M. Ritter
Amy Hartman	Daniel P. Meehan	Julie M. Robinson
Bernard L. Hatcher	Robert H. Miller	Ricardo (nmi) Rodriguez
Matthew B. Hemington	Brian E. Mitchell	Adam C. Rogoff
Cathy Rae Herschopf	Ann M. Mooney	Jane Ross
Gordon Ho	Gary H. Moore	Richard S. Rothberg
Suzanne Sawochka Hooper	Timothy J. Moore	Adam J. Rutenberg
Tami J. Howie	Webb B. Morrow, III	Adam Salassi
Mark M. Hrenya	Kevin P. Mullen	Thomas R. Salley III
Christopher R. Hutter	Frederick T. Muto	Glen Y. Sato
Jay R. Indyke	Ross W. Nadel	Martin S. Schenker
Craig D. Jacoby	Ryan Naftulin	Joseph A. Scherer
Eric C. Jensen	Stephen C. Neal	Paul H. Schwartz

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Cooley Godward Kronish LLP
Reston Town Center
One Freedom Square
11951 Freedom Drive
Reston, VA 20190

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

- | | |
|----------------------------|--------------------------|
| Renee (nmi) Schwartz | Laura Grossfield Birger |
| William J. Schwartz | Alfred L. Browne, III |
| Gregory A. Smith | Roel C. Campos |
| Whitty (nmi) Somvichian | Jennifer B. Coplan |
| Mark D. Spoto | Lester J. Fagen |
| Wayne O. Stacy | M. Manuel Fishman |
| Neal J. Stephens | Andrew (nmi) Hartman |
| Michael D. Stern | John (nmi) Hession |
| Anthony M. Stiegler | Michael H. Knight |
| Steven M. Strauss | Robert B. Lovett |
| Myron G. Sugarman | Thomas C. Meyers |
| Christopher J. Sundermeier | Patrick J. Mitchell |
| Ronald R. Sussman | Marc (nmi) Recht |
| C. Scott Talbot | Julie M. Robinson |
| Mark P. Tanoury | Richard S. Sanders |
| Philip C. Tencer | Robert J. Tosti |
| Gregory C. Tenhoff | Miguel J. Vega |
| Timothy S. Teter | Erich (nmi) Veitenheimer |
| John H. Toole | David (nmi) Warren |
| Michael S. Tuscan | |
| Edward Van Geison | |
| Erich (nmi) Veitenheimer | |
| Aaron J. Velli | |
| Robert R. Vieth | |
| Lois K. Voelz | |
| Craig A. Waldman | |
| Kent M. Walker | |
| David A. Walsh | |
| David (nmi) Warren | |
| Steven K. Weinberg | |
| Thomas S. Welk | |
| Christopher A. Westover | |
| Francis R. Wheeler | |
| Brett D. White | |
| Peter J. Willsey | |
| Nancy H. Wojtas | |
| Nan (nmi) Wu | |
| John F. Young | |
| Kevin J. Zimmer | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

for Application No. (s): SE 2002-PR-031
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)
NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/25/07
(enter date affidavit is notarized)

96822a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

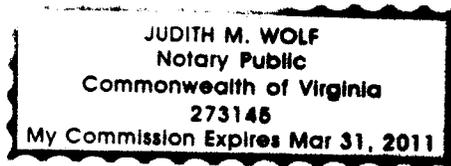
(check one) Ben Wales
 Applicant Applicant's Authorized Agent

Ben I. Wales
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 25th day of October, 2007, in the State/Comm. of Virginia, County/City of Fairfax.

Judith M. Wolf
Notary Public

My commission expires: _____



MITRE CORPORATION

STATEMENT OF JUSTIFICATION

Special Exception Amendment SEA 2002-PR-031

July 3, 2007

RECEIVED
Department of Planning & Zoning
JUL 03 2007
Zoning Evaluation Division

I. INTRODUCTION

The MITRE Corporation (“MITRE” or the “Applicant”) is the owner and tenant of a 19.63 acre property located at 7515 Colshire Drive, McLean. Three office buildings and associated parking structures are currently located on the site. MITRE seeks to amend an existing special exception that governs the property. The MITRE campus is located south of the Route 123/Colshire Drive intersection and is more particularly described as Fairfax County Tax Map# 30-3 ((28)) 3A1 & 4A3 (the “Property” or “Campus”).

In 2002, the Board of Supervisors approved SE 2002-PR-031 to waive certain sign regulations at the MITRE Property allowing the implementation of a Campus Sign Program (“Sign Program”). This application seeks to amend the approved Sign Program to allow the erection of one additional freestanding directional sign at the Campus.

II. THE PROPERTY AND MITRE’S OPERATIONS

MITRE operates Federally Funded Research and Development Centers for the Department of Defense (“DOD”), Federal Aviation Administration (“FAA”) and the Internal Revenue Service (“IRS”). Through contracts with these agencies, MITRE addresses issues of national security, assists national and military intelligence agencies with development of new approaches to producing, distributing and safeguarding intelligence information, develops aviation simulations and works to modernize the nation’s tax administration system. MITRE’s office buildings are equipped with research laboratories as well as conference facilities in which MITRE sponsors various conferences, seminars and workshop sessions on such topics as the latest technological advancements, federal safety regulations and communication satellite services, which attract a significant number of people. In addition, based upon the nature of their contract work, MITRE frequently hosts high-level government meetings with top executives, policy makers and other authorities to discuss issues of national security. Many people attending functions at MITRE are newcomers or off-site employees that visit this Campus rather infrequently. Directional signage, therefore, is particularly important to the success of these functions.

The main access to the MITRE Campus is via Colshire Drive. Each of the three buildings (“MITRE 1”, “MITRE 2” and “MITRE 3”) includes at least one conference room (MITRE 2 has two conference rooms and one executive conference room) and a separate main entrance and separate parking. It is, therefore, important that visitors to the Property are provided up-to-date information on where particular meetings are to take place.

III. PROPOSED SIGN PROGRAM AMENDMENT

MITRE respectfully requests Staff and Planning Commission support and Board of Supervisors approval of the attached Special Exception Amendment to amend the Sign Program. This application is submitted under the provisions of Section 9-620 of the Fairfax Zoning Ordinance. The existing Sign Program consists of both directory and directional signs located throughout the site to provide legible information about the buildings, parking and loading areas. The proposed amendment to the Sign Program will allow one directional sign to be added to the Property, in a position close to the entrances to the three buildings on Colshire Drive. The specific location of the proposed sign is shown in the Sign Program and on photographs submitted with this application.

The Applicant seeks to provide a more technically advanced directional sign than that currently used at the Property, with a sign face that can be updated electronically (see Sheet 10.00 of the Sign Program). This will allow MITRE to change the sign's text to provide details and locations of events at the Campus. With the exception of the size of the sign, the proposed sign will be in accordance with Zoning Requirements in Section 12 of the Ordinance, including: no signs of which all or any part is in motion by any means (Section 12-104.5). The sign will be lit by Light Emitting Diodes ("LED") from within the structure, but will not display flashing or intermittent lights, or lights of changing degrees of intensity of color or moving copy (Section 12-104.6).

While the size of the proposed sign is in excess of that permitted by the Zoning Ordinance, the sign (including base) is only 5 feet 12 inches in height (lower than the tallest sign currently permitted), and the sign depth is only 16". The sign would not be visible from Route 123 or any nearby residential properties. The size of the proposed sign will allow the adequate display of important information directing visitors to MITRE 1, MITRE 2 or MITRE 3. Given the different uses in each of the buildings, the site layout and the secure nature of the facility, it is important to provide visible and legible signage appropriate to the site.

The proposed sign will complement the existing signs at the Campus. The sign includes the MITRE blue corporate color, which is used on the MITRE logo and will link the sign to the existing signage on the Property. Additionally, the sign materials were selected to complement the building materials and architecture at the Campus.

Landscaping is not proposed around the sign, since a separate landscaping plan has already been reviewed and approved by the Environmental and Facilities Review Division of the Department of Public Works and Environmental Services. This landscaping plan includes extensive landscaping throughout the Property to provide adequate vegetation around the office park.

IV. CONFORMANCE WITH COMPREHENSIVE PLAN

The Property is located in Land Unit R-2 of the Tyson's Corner Urban Center, which is planned for research and development, light industrial and office uses with support retail and service uses. The MITRE Campus has been developed as offices under a GDP that

governs the development of West*Gate which conforms to the recommendations of the Comprehensive Plan.

V. CONFORMANCE WITH ZONING ORDINANCE REGULATIONS

A. SPECIAL EXCEPTION STANDARDS

1. Type of operation: Headquarter offices for MITRE
2. Hours of operation: The hours of operation are generally expected to be consistent with those associated with the other office buildings in the area and generally between the hours of 7 a.m. and 7 p.m. The sign would operate 24 hours per day.
3. Estimated number of patrons, clients, patients, pupils, etc.: Not applicable.
4. Estimated number of employees: The estimated number of employees for the entire campus is approximately 2,600.
5. Estimate of traffic impact: There will be no traffic impact associated with this Special Exception Amendment.
6. Vicinity or general area to be served by the use: Fairfax County, District of Columbia and Northern Virginia.
7. Description of building facade and architecture of proposed new building or additions: No new structures are proposed with this Special Exception.
8. Listing of known hazardous or toxic substances as set forth in applicable County, State, and Federal Regulations: To the best of MITRE's knowledge, there are no such materials located or intended to be stored on the property.
9. Conformance with the provisions of applicable ordinances, regulations, and standards, etc.: To the best of MITRE's knowledge, the proposed development will comply with all applicable standards, ordinances, and regulations except as requested to be modified with this Special Exception.

B. ADDITIONAL STANDARDS FOR WAIVER OF SIGN REGULATIONS

1. The Ordinance provides for proposals seeking to increase the area of a permitted free-standing directional sign. Applicant is not seeking permission for a sign not otherwise permitted by the Zoning Ordinance.

2. There are unique characteristics of the use of the MITRE Property that warrant the implementation of this Sign Program Amendment. The Property accommodates three office buildings, which have numerous conference centers and training rooms and, therefore, numerous visitors. MITRE seeks approval of the additional signage to provide visitors with easy access to information about the location of meetings and conferences to avoid visitors losing their way or becoming confused upon entering the campus.

3. This Special Exception is proposed to assist the approved safe, attractive and functional method of directing vehicular traffic throughout the MITRE campus. The development of the MITRE Campus follows the approved GDP, which is consistent with the objectives and policies of the Comprehensive Plan.

4. The proposed sign will not have any adverse impact on the existing or planned development of the adjacent properties. The sign will not have any flashing or scrolling text and will not create lighting compatibility issues with surrounding properties. The proposed sign will not be visible from Route 123 or from any residential properties.

VI. SUMMARY

The proposed Special Exception Amendment for signage will allow the positioning of an additional directional sign at the MITRE Campus. The proposed sign will provide visitors to the Campus with information on the location of specific events.

The Applicant respectfully requests favorable consideration of the Application by Staff, the Planning Commission and the Board of Supervisors.



Ben I. Wales
July 3, 2007



FAIRFAX COUNTY

APPENDIX 4

ZED

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

March 19, 2003

Antonio J. Calabrese, Esquire
Cooley Godward, LLC
One Freedom Square
11951 Freedom Drive
Reston, Virginia 20190-5601

RE: Special Exception Application
Number SE 2002-PR-031

Dear Mr. Calabrese:

At a regular meeting of the Board of Supervisors held on January 27, 2003, the Board approved Special Exception Application Number SE 2002-PR-031 in the name of The Mitre Corporation, located at 7515 and 7525 Colshire Drive (Tax Map 30-3 ((28)) 3A and 4A2) to allow a waiver of certain sign regulations, pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application. It is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Sign Plan approved with the application, as qualified by these development conditions.
3. Signage shall be provided in substantial conformance with the Sign Plan, entitled *Mitre: Campus Wayfinding*, prepared by Gallagher and Associates and dated November 4, 2002, except as may be modified by these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. A total of nine directional signs shall be permitted as depicted on the Sign Plan, except that signs 3 and 4 noted on the Sign Plan as double sided, shall be considered single sided signs for the purpose of calculating sign area. These signs may be located up to five (5) feet from any street line.
5. Notwithstanding the provisions of Paragraph 2 of Section 12-103, sign permits shall be obtained for all signs permitted pursuant to this Sign Plan.
6. The proposed signs shall not be lit.
7. No sign shall move, display any flashing or intermittent lights nor have any features which could be construed as fluorescent or neon in character or color.
8. All signs shall be for directional purposes only.
9. All other signs shall conform with the requirements of Article 12 of the Zoning Ordinance.

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. The Applicant shall be itself responsible for obtaining the required Sign Permit(s) through established procedures.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the sign permit(s) has (have) been issued. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

SE 2002-PR-031

March 19, 2003

- 3 -

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor Connolly, Providence District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
John Crouch, Deputy, Zoning Enforcement Branch, ZPRB
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES – Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner

RECEIVED
Department of Planning & Zoning
MAR 20 2003
Zoning Evaluation Division



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 28, 2006

Ben I. Wales
Cooley Godward LLP
11951 Freedom Drive
Reston, VA 20190-5656

Re: Interpretation for SE 2002-PR-031, Mitre Corporation, Tax Map 30-3 ((28)) 3A and 4A2.: LED Sign

Dear Mr. Wales:

This is in response to your letter of August 7, 2006, requesting an interpretation of the Sign Plan and development conditions accepted by the Board of Supervisors with approval of SE 2002-PR-031 for a Waiver of Certain Sign Regulations. As I understand it, the question is whether the substitution of a LED sign for a single-sided free-standing directional sign, which is depicted as Sign #2 in the approved Sign Plan for the Mitre property, is in substantial conformance with the development conditions and the Sign Plan. This determination is based on the development conditions; the Sign Plan entitled "MITRE Campus Wayfinding," dated November 2, 2002, prepared by Gallagher & Associates (Exhibit B); a graphic depiction of the existing sign (Exhibit D); and, Exhibit E which depicts the proposed LED sign.

On January 27, 2003, the Board of Supervisors approved SE 2002-PR-031, subject to development conditions which stipulated, among other things, that signage shall be provided in substantial conformance with the Sign Plan referenced above (Condition #3). Development Condition #6 states that "The proposed signs shall not be lit." You indicate that the proposed sign is the same size as the approved existing sign and would display only non-flashing non-scrolling text that will change up to two times per day. The purpose of the sign is to provide directional information. You argue that the sign conforms with Development Condition #6 because it will not be backlit nor illuminated by floodlights or exterior lighting.

According to Joe Bakos, Assistant Branch Chief, Zoning Enforcement Branch, DPZ, LED signs have been determined to be lighted signs, because the text is illuminated. As such, the use of a LED sign would not be in conformance with SE 2002-PR-031 and cannot be approved absent approval of a special exception amendment by the Board of Supervisors. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

Attachments: A/S

cc: Linda Smyth, Supervisor, Providence District
Kenneth Lawrence, Planning Commissioner, Providence District
Leslie Johnson, Senior Deputy Zoning Administrator, DPZ
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: SE 2002-PR-031, SEI 0608 049, Imaging, Reading File

Department of Planning and Zoning
12055 Government Center Parkway, Suite 200
Fairfax, Virginia 22035-4100
Phone 703 324-4100
FAX 703 324-4100
www.fairfaxcounty.gov

URBAN DESIGN

THE ROLE OF URBAN DESIGN

The Urban Design Concept for Tysons Corner is an extension of the land use concept: the land use concept defines Tysons Corner as an Urban Center in terms of types and intensities of those uses, but it is the design concept that defines the form that development takes. Urban design fosters a relationship between buildings, streets, land use, open space, circulation, height, density, natural features and human activity in order to create a desirable environment in which to work, live and pursue leisure activities.

Development can take a suburban or an urban form, depending upon such factors as the relationship of buildings to each other and to the roadway; the location and type of parking (structured, underground, or surface); the location and type of open space and pedestrian facilities; and building heights. For example, suburban office parks usually have low- to mid-rise buildings set back from the road, separated by large areas of surface parking and perhaps a landscaped buffer. The distance from the building to the main road is relatively long, discouraging pedestrian traffic between buildings. In more urban settings, taller buildings would be closer to the road, either built next to the sidewalk or separated by a strip of visitor parking, with the remaining parking in a structure behind or underneath the building. The advantage of the urban form over the suburban is that the urban is more pedestrian- and transit-oriented, important factors for an area that faces serious traffic congestion. The intent of the design concept for Tysons Corner is to achieve generally a form closer to the urban than the suburban, to create Fairfax County's downtown.

Principles of Good Design

In addition to defining urban or suburban character, urban design principles help define the image of an area. Urban design applies to more than just architecture; the entire built environment is examined through the eyes of the user. This includes the appearance of buildings, open spaces, roadways, pedestrian paths, signage — anything that people see and use to inform themselves about where they are, how to go elsewhere, and where different activities take place. Everything, from major buildings to park benches, can make a contribution if they are designed as part of a carefully integrated built environment.

Four principles underlie good urban design: function, order, identity and appeal.

Function: If an area is designed well, it works well. Function can be achieved if people can conduct their business easily, efficiently, and safely. For an area to function well, good linkages, i.e., good access for pedestrians and vehicles needs to exist, as well as a clear and easily understood circulation system. The fewer times people must change transportation modes or move their cars from one parking lot to another, the more easily they can conduct their business. In terms of safety, pedestrians should have a sidewalk/trail system that separates them from vehicles.

Order: Good design is logical and well organized. It presents a clear and coherent image. This can be achieved if an area can be quickly and easily understood: the area is laid out in a pattern that can be recognized and remembered. Drivers and pedestrians alike benefit from good signage and memorable landmarks (such as a distinctive building or a park) at decision points like major intersections.

Identity: Good design helps an area take on a special character. Good design strongly defines an area as a whole, as well as areas of special character. Gateways and edges are clearly defined; hence people know when they are "there." Identity can also be fostered by the use of special land use patterns, such as historic districts, mixed-use districts, and special shopping areas, to achieve a separate identity for small parts within the larger whole. Identity is also manifested through a cohesive use of design elements such as streetscape and signage. These might include planting a particular variety of street tree, using brick pavers at pedestrian crossings, or using a distinctive type of street light. Everything does not have to look the same, but there are some common elements that give the area identity.

Appeal: Appeal is subjective, but an area that is visually appealing usually displays the following characteristics:

- A high degree of visual unity exists, although, in an area as large as Tysons Corner, such visual unity is usually created within sub-areas through harmony of scale, style, landscaping, coordinated signage, and color. At the same time, visual diversity exists in terms of skylines, building heights and unique building forms, the latter being particularly effective as "gateway" buildings.
- The economic return of the area is high because people are attracted to it and return repeatedly.
- The image of the area is positive and human interaction is encouraged. A high level of activity exists because users enjoy being there.

Use of these four principles throughout the planning and development process, by public and private sector alike, will help focus attention on Tysons Corner as the Urban Center. This Urban Center has been built over the years through thousands of independent choices and decisions. When those who make the decisions about the built environment seek good design, high-quality development results that is functionally integrated, orderly, identifiable and attractive. It is the intent of the Urban Design Concept for Tysons Corner to foster this choice of good urban design.

DESIGN CONCEPT FOR TYSONS CORNER URBAN CENTER

The Design Concept envisions the activity centers of the Core as the major focal points of Tysons Corner. These focal points are located at the juncture of major arterial roadways: Route 7, Route 123, International Drive and Gallows Road. By developing consistent and distinctive streetscape treatments along these major arterials, these roadways are envisioned to become significant unifying design elements which visually and physically link the Core with the surrounding non-core areas. (See Figure 9, Land Use Concept Map with Streetscape for Major Roadways). Within non-core areas, minor focal points or mini-cores should be encouraged to develop. Mini-cores can be formed through the grouping of relatively taller buildings around a plaza that is linked to the surrounding pedestrian system. Gateways at the entrances to Tysons Corner can be created through building design, height and landscaping. By encouraging the evolution of major focal points within the Core, minor focal points through the development of mini-cores within most subareas, the development of gateways at entry points and interlinking these areas with a unifying streetscape, a greater "sense of place" and a more pedestrian and transit-oriented environment can be created in Tysons Corner.

Since Tysons Corner is large and complex, the Design Concept needs to address a variety of elements to encourage a more urban development pattern. The following elements provide guidance toward achieving this goal by addressing streetscape design, building heights, gateways, pedestrian and transit-oriented design that apply throughout Tysons Corner. Additional specified guidance for the Core, for the Route 7 Boulevard Concept is provided.

Implementation of the Design Concept will require a commitment by property owners, private sector organizations such as TYTRAN, the State and the County to provide those streetscape elements that are primarily in the public right-of-way. Other elements can be implemented through private development of sites. Overall, implementation needs to be a joint partnership that ensures the coordinated development of Tysons Corner.

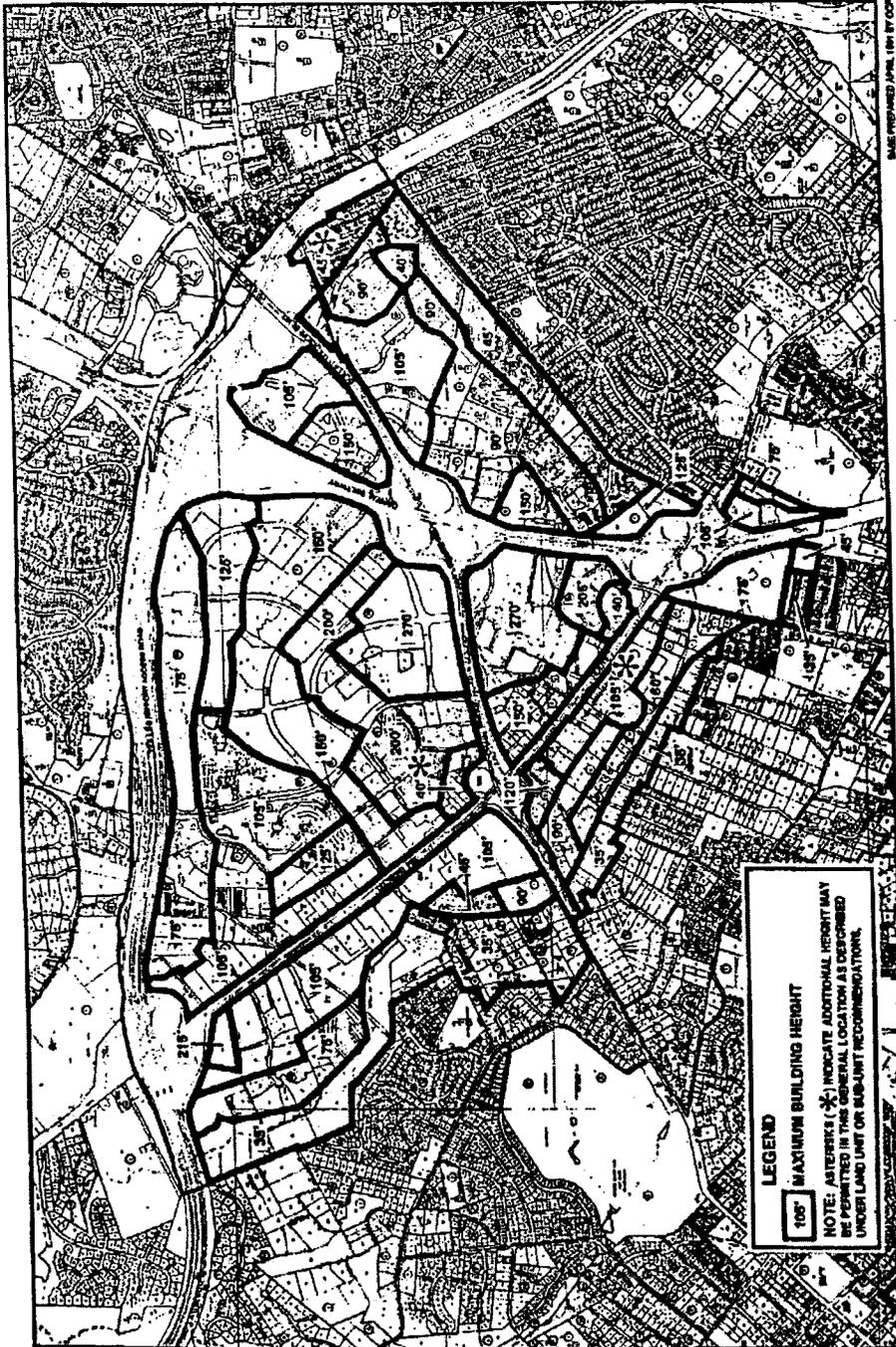
Building Heights

The skyline should be valued as an asset because it gives Tysons Corner a visual identity, emphasizing to approaching travelers that they are entering the County's downtown. The skyline is the result of building height and topography. Because the Core is located at the highest natural elevation in Fairfax County, the Urban Design Concept emphasizes this natural feature by planning for some of the tallest buildings on the highest ground within the Tysons II and the Tysons I Activity Centers.

Throughout Tysons Corner, a variety of building heights and building articulation is encouraged, as well as varied roof forms, to create an interesting skyline. The Core is intended to be the most visually prominent part of the Urban Center, and building heights outside the Core gradually step down towards the Transitional Areas. Building heights adjacent to single-family residential neighborhoods, in general, are planned not to exceed 35 to 45 feet to provide an appropriate scale of development. The general Plan for building heights in Tysons Corner is shown on Figure 10. However, it should be noted that within the land unit recommendations, some flexibility to vary building height is provided under specified circumstances.

Guidelines

- One fundamental element of achieving maximum building heights should be provision of usable open space. In the absence of special factors such as security requirements and where appropriate to carry out the pedestrian-oriented design recommendations of the Tysons Corner Urban Center Plan, usable open space should be accessible to pedestrian traffic as well as site users.
- Varied building heights and roof lines are encouraged to enhance the Tysons Corner skyline.
- To create a focal point within a land unit or sub-unit, building height should be one of the elements used to identify a special area, in addition to such elements as plazas, courtyards, building orientation, and/or landscaping.
- Parcels that are split by two height designations should have flexibility to have building height increases above the lower height designation when development proposals provide height transitions similar to those indicated on the Building Heights Map (Figure 10), and improve the site's design in a manner supportive of other urban design objectives.



TYSONS CORNER URBAN CENTER

FAIRFAX COUNTY, VIRGINIA



AREA BOUNDARY



BUILDING HEIGHTS

FIGURE 10

- Maximum building heights may increase up to 30 percent above the heights indicated on the Building Heights Map, Figure 10, if the parcel is within 1,600 feet of a rapid rail station site that is programmed for design and construction. All transit-related height increases should be consistent with all other Building Height Guidelines and the specific sub-unit guidance. The resultant height should not adversely impact the character and development of adjacent and nearby lands or neighborhoods.

Gateways

Gateways define the major approaches to an area or community. They are generally easily recognized and may be identified by a sign, a structure, or other symbol to clearly distinguish the entrance to an area. Gateways assist travelers to orient themselves and also help define limits to an area. Gateways function better if they are easily identified by a landmark, usually a well-remembered physical object or group of objects. Gateway landmarks are often one or a group of buildings. Landmarks are not necessarily buildings, but can be a natural feature, or special landscaping designed to create a gateway landmark.

Because Tysons Corner has a development character that is distinctively different from the surrounding residential areas, appropriate gateway features should be placed at the major approaches to the area. Individual buildings are the most common landmarks at the major gateways to Tysons Corner. For example, the Tysons Sheraton Hotel is the western gateway landmark at the intersection of Route 7 and the DAAR. The Tycon Tower office building serves the same purpose at the southern gateway to Route 7 at I-495. The Tycon Courthouse office building is the landmark at the Route 123 gateway to Tysons Corner from the Town of Vienna. For minor gateways such as Gallows Road, appropriate landscaping and signage would be sufficient.

Guidelines

- The visual prominence of gateway buildings should be enhanced as specified in the Land Unit Recommendations Section and on the Building Heights Map, Figure 10.
- Where a tall building would be incompatible with adjacent land use, gateway landscaping and/or architectural features should be considered for gateway articulation. Gateway landscaping is a formal arrangement of plant materials that frames a major approach to an area. The plant materials should be chosen to be attractive in all seasons, including both evergreen and deciduous plants. Low maintenance materials should be selected for areas not likely to receive consistent maintenance or watering.
- Consideration should be given to providing a cohesive system of signage beside roadways that indicate the traveler is entering Tysons Corner, much the way the Town of Vienna and the City of Falls Church have signs at their borders.

Pedestrian and Transit-Oriented Design

One of the key objectives of the Tysons Corner Plan is to encourage alternative modes of transportation as substitutes for the single-occupant autos that are crowding the County's roads. Good design can contribute to the attainment of this goal by creating a convenient, pleasant and safe experience for the pedestrian, thus making walking a viable alternative to driving. The pedestrian system should consist of sidewalks and/or trails that connect with plazas, courtyards, or other open spaces to create places for pedestrians to walk, to rest, or to gather with others for

recreation or community activities. Such a system will reinforce the goal for high-quality design resulting in a transit and pedestrian-friendly environment.

To encourage workers to travel by public transportation, either by bus, rail or a "fixed guideway system," the walk from the transit station to the workplace must be an experience that pedestrians are willing to repeat twice a day. For this reason, planning for pedestrians and transit access is a vital part of the successful implementation of the Plan for Tysons Corner. Designing for transit access in Tysons Corner is complicated by the fact that no determination has been made about the type and location of transit service to be available in the future. When the transit system is being planned, the pedestrian paths to destinations should also be planned to help achieve the desired transit ridership. While the transit options are being examined, the groundwork needs to be laid for a comprehensive pedestrian network that can connect with transit stations or stops in the future.

Mixed-use developments are an important component of pedestrian-friendly design because each brings a variety of uses in proximity to each other. Pedestrian access between those uses should be convenient, safe, and pleasant to discourage use of automobiles. Designing for the pedestrian includes designing the streetscape to include trees, signage, and street furniture (benches, lighting, etc.). Trees are one of the most important features of the streetscape, as they provide shade to pedestrians, add natural beauty to the street appearance, and soften the hard edges of the building forms. Additional landscaping can also enhance pedestrian paths among buildings, between developments, or mid-block, making these attractive areas to encourage people to walk rather than drive between uses. Use of trees in ornamental grates, planter boxes, planting strips, or larger landscaped areas are some of the many techniques that could be employed to enhance the pedestrian experience.

Pedestrian safety should also be a consideration when designing the landscape, and pedestrian-level lighting should be factored into the design. Street lights and other street furniture, such as trash receptacles, seating, and gateway signage, could reinforce the identity of special areas and better define the Urban Center.

Good signage also contributes to good pedestrian-oriented design: signage within a development should be coordinated in terms of scale, design, color, materials, and placement in order to create a unified identity for the area. Signage should also be designed appropriately for its location and purpose, i.e., signs by the roadway to be read by motorists or signs along pedestrian paths or on a building should provide high legibility for individual businesses and corporations.

The Open Space and Pedestrian System Map, Figure 11, depicts the beginning of such a comprehensive, integrated pedestrian system to unify development within sub-areas and link neighboring sub-areas. This map is not intended to be definitive: as additional pedestrian connections are identified over time, they would be welcome refinements to the system. These connections could be either sidewalks or trails, alone or in combination with plazas, courtyards or parks. These connections are indicated conceptually because appropriate design, construction standards and alignments will be determined when specific development is proposed for a site and is submitted to the County in a development application.

Guidelines:

- In development proposals for new development or redevelopment, increased intensity/density, increased building heights and/or those which substantially change the design of a



County of Fairfax, Virginia

APPENDIX 7

MEMORANDUM

DATE: September 14, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT *AKR*

FILE: 3-5 (SE 2002-PR-031)

SUBJECT: SEA 2002-PR-031; Mitre Corporation
Land Identification Maps: 30-3 ((28)) 3A1, 4A3

This department has reviewed the subject Special Exception equest and has no objection to its approval provided the installed signage meets driver line of sight requirements where applicable.

AKR/MAD

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

SPECIAL EXCEPTIONS

4. Such special exception may be approved notwithstanding any existing nonconformity and any nonconformity that may be created by the public improvement, and approval of the special exception shall permit such nonconformities to continue as nonconformities.

Upon approving a special exception, the Board may impose such conditions as deemed necessary to address any impacts of the nonconformity or proposed modification.

9-620

Waiver of Certain Sign Regulations

The purpose of this special exception is to provide some relief where appropriate for those signs in the C and I districts which, because of certain unusual circumstances as specified below, do not provide identification as intended by the sign regulations. In the C and I districts, the Board may approve, either in conjunction with the approval of a rezoning or as a Category 6 special exception, a modification or waiver of the sign regulations in accordance with the following:

1. Such waiver may be for an increase in sign area, increase in sign height or different location of a sign, not otherwise provided by Sect. 12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this Ordinance, or the establishment of any sign prohibited by the provisions of Sect. 12-104.
2. Such waiver may be approved only when it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of location, topography, size or configuration of the lot; access to the lot; unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use.
3. It is determined that such waiver will be in harmony with the policies of the adopted comprehensive plan.
4. A waiver of the sign provisions may be approved only in those locations where, based upon a review of the relationship of the sign to the land, buildings and conforming signs in the neighborhood, it is determined that the sign will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12.

9-621

Provisions for Outdoor Storage in Association with Warehousing Establishments in the Sully Historic Overlay District

The Board may approve a special exception authorizing the establishment of outdoor storage in association with a warehousing establishment on land zoned I-5 or I-6 in the Sully Historic Overlay District in accordance with the provisions of Sect. A1-303.

9-622

Provisions for Modifications/Waivers/Increases and Uses in a Commercial Revitalization District

1. In a Commercial Revitalization District, the Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the following:
 - A. A modification or waiver of the minimum lot size, minimum yard and/or minimum open space requirements of the underlying zoning district regulations,

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- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.

C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:

- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
- (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

9-005 Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

SPECIAL EXCEPTIONS

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

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Unless otherwise stipulated by the Board, a specified period of time shall commence on the date of approval of a special exception.

9-009 Application for a Special Exception

1. An application for a special exception may be made by any property owner, owner of an easement, possessor of the right of entry under the power of eminent domain, lessee, contract purchaser, official, department, board or bureau of any government or their agent, or condominium in accordance with the provisions of Sect. 2-518.
2. The application shall be filed with the Zoning Administrator on forms provided by the County. The application shall be complete, and shall be accompanied by those submission requirements set forth in Sect. 011 below, such specified information as may be required for a given category or use, and such additional information as may be required by the Board. The application shall be accompanied by a fee as provided for in Sect. 18-106. No application shall be deemed to be on file with the County until all required submissions have been presented. All applications shall be subject to the provisions of Part 1 of Article 18.
3. The Zoning Administrator shall transmit a copy of every special exception to the Planning Commission. The Planning Commission shall hold a public hearing on each application and shall make recommendations on each application setting forth any conditions or restrictions for consideration by the Board.
4. In addition, the Zoning Administrator shall forward a copy of the application to any other review body as may be specified for a particular use.
5. Every application shall be scheduled for public hearing in a timely manner, and shall be heard in the order in which accepted unless otherwise specified by the Board. All public hearings shall be conducted in accordance with the provisions of Sect. 18-109.

9-010 (Deleted by Amendment #93-248, Adopted July 26, 1993)

9-011 Submission Requirements

All applications for special exception uses shall be accompanied by the following items, except that additional or modified submission requirements are set forth in Part 1 for all Light Public Utility Uses, in Part 2 for all Heavy Public Utility Uses, in Part 3 for all Quasi-Public Uses, in Part 4 for all Transportation Facilities, in Part 5 for certain Commercial and Industrial Uses of Special Impact, in Part 6 for a Cluster Subdivision and Modifications/Waivers/Increases and Uses in a Commercial Revitalization District, and Part 9 of Article 2 for Uses in a Floodplain. Upon receipt of a written request with justification, the Zoning Administrator may modify or waive a submission requirement of Par. 2 below or the archaeological submission requirement of Par. 9 below, if it is determined that the requirement is clearly not necessary for the review of the application.

1. Four (4) copies of an application on forms provided by the County, completed and signed by the applicant.

APPENDIX 9

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers.

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code; includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		