



APPLICATION FILED: June 1, 2007
PLANNING COMMISSION: December 5, 2007
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

November 20, 2007

STAFF REPORT

PCA 90-L-055

LEE DISTRICT

APPLICANT: Beulah Street II LLC

PRESENT ZONING: C-2, HC

PARCEL(S): 81-3 ((5)) 17C & 17D

ACREAGE: 4.85 acres

F.A.R.: 0.34

PLAN MAP: Office

PROPOSAL: Amend the previously approved proffers and GDP (RZ 90-L-055) to permit the construction of a three (3) story office building on parcel 17D in lieu of four (4) townhouse style office buildings.

WAIVERS/MODIFICATION:

Modification of the transitional screening requirements along the eastern, northern, and western property boundaries of the site pursuant to Sect. 13-304 of the Zoning Ordinance in favor of that shown on the GDP.

Waiver of the barrier requirement along a portion of the northern property boundary pursuant to Sect. 13-304 of the Zoning Ordinance.

Waiver of the Countywide Trails Plan recommendation for a 10-foot wide trail within the VDOT right-of-way on Beulah Street.

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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/

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STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 90-L-055 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along the eastern, northern, and western property boundaries, pursuant to sect. 13-304 of the Zoning Ordinance in favor of that shown on the GDP.

Staff recommends approval of a waiver of the barrier requirement along a portion of the northern property boundary pursuant to sect. 13-304 of the Zoning Ordinance.

Staff recommends approval of a waiver of the Countywide Trails Plan recommendation for a 10-foot wide trail within the VDOT right-of-way on Beulah Street in favor of the existing sidewalk.

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

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

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

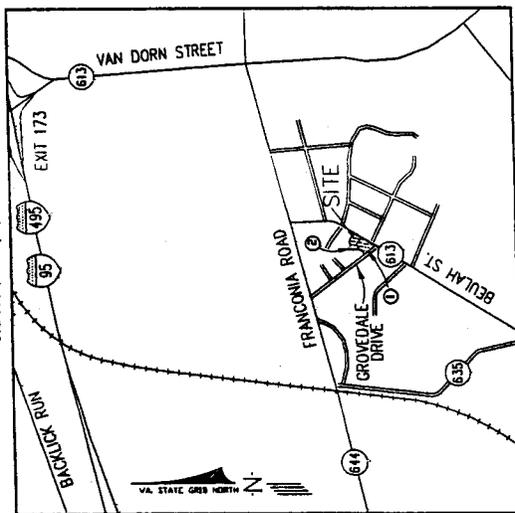
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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

GENERALIZED DEVELOPMENT PLAN FOR PROFFERED CONDITION AMENDMENT PCA 90-L-055 FOR BEULAH STREET PROPERTY LEE DISTRICT FAIRFAX COUNTY, VIRGINIA

APRIL 26, 2007
MAY 3, 2007
MAY 30, 2007
OCTOBER 1, 2007
NOVEMBER 5, 2007



VICINITY MAP
SCALE: 1" = 1000'

PARCEL	OWNER
①	BEULAH STREET II, LLC 1000 BEULAH STREET, SUITE 300 ARLINGTON, VA 22210 (703) 888-1708
②	BEULAH STREET II, LLC 1000 BEULAH STREET, SUITE 300 ARLINGTON, VA 22210 (703) 888-1708

PARCEL OWNERS

SHEET INDEX

1. COVER
2. NOTES AND DETAILS
3. OVERALL PLAN
4. EXISTING CONDITIONS AND VEGETATION MAP
5. LAYOUT
6. LANDSCAPE PLAN
7. ARCHITECTURAL ELEVATIONS
8. STORM WATER MANAGEMENT PLAN
9. STORM OUTFALL PLAN
10. STORM WATER MANAGEMENT INFORMATION
11. STORM WATER MANAGEMENT INFORMATION
12. STORM WATER MANAGEMENT INFORMATION

ARCHITECT:

BIGNELL WATKINS HASSER ARCHITECTS
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VIENNA, VIRGINIA 22184
P: (703) 888-3328 F: (703) 888-0311

CIVIL ENGINEER:



APPLICANT:

BEULAH STREET II, LLC
6416 BEULAH STREET, SUITE 300
ARLINGTON, VA 22210
(703) 888-1708

ATTORNEY:

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, PC
1500 CALHOUN BOULEVARD, 15TH FLOOR
ARLINGTON, VIRGINIA 22202
P: (703) 888-1708 F: (703) 888-3187

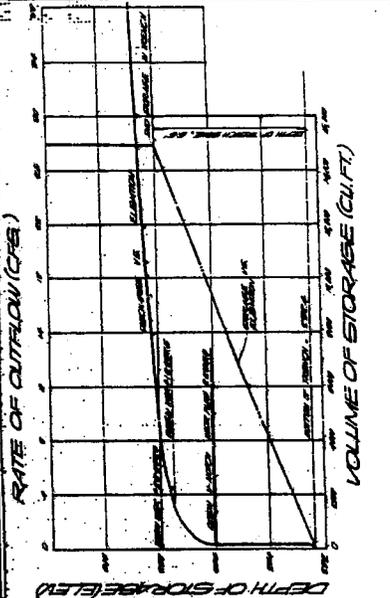
NO.	DATE	DESCRIPTION	BY	APP. BY
1	04/26/07	COVER		
2	05/03/07	NOTES AND DETAILS		
3	05/30/07	OVERALL PLAN		
4	10/01/07	EXISTING CONDITIONS AND VEGETATION MAP		
5	11/05/07	LAYOUT		
6		LANDSCAPE PLAN		
7		ARCHITECTURAL ELEVATIONS		
8		STORM WATER MANAGEMENT PLAN		
9		STORM OUTFALL PLAN		
10		STORM WATER MANAGEMENT INFORMATION		
11		STORM WATER MANAGEMENT INFORMATION		
12		STORM WATER MANAGEMENT INFORMATION		

REVISION APPROVED BY DIVISION OF DESIGN REVIEW



COVER
BEULAH STREET PROPERTY
PROFFERED CONDITION AMENDMENT PCA 90-L-055
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE AS SHOWN
DATE: APRIL 2007
FILE NO.: DP-1755



100 YEAR STORM ROUTING

TIME (MIN)	INFLOW (CFS)	OUTFLOW (CFS)	DEPTH (FEET)
0	0	0	0
1	100	100	0.1
2	200	150	0.2
3	300	200	0.3
4	400	250	0.4
5	500	300	0.5
6	600	350	0.6
7	700	400	0.7
8	800	450	0.8
9	900	500	0.9
10	1000	550	1.0
11	1100	600	1.1

10 YEAR STORM ROUTING

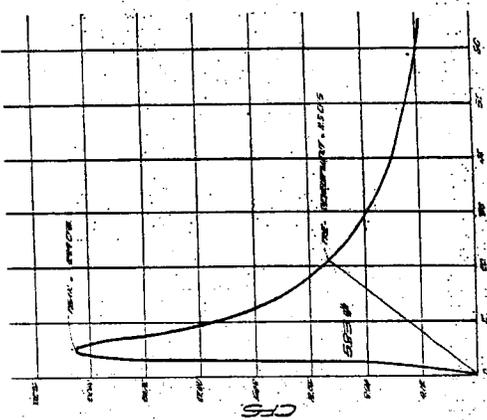
TIME (MIN)	INFLOW (CFS)	OUTFLOW (CFS)	DEPTH (FEET)
0	0	0	0
1	100	100	0.1
2	200	150	0.2
3	300	200	0.3
4	400	250	0.4
5	500	300	0.5
6	600	350	0.6
7	700	400	0.7
8	800	450	0.8
9	900	500	0.9
10	1000	550	1.0
11	1100	600	1.1

10 YEAR STORM ROUTING

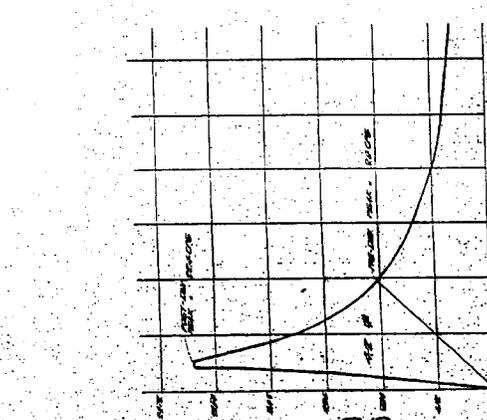
TIME (MIN)	INFLOW (CFS)	OUTFLOW (CFS)	DEPTH (FEET)
0	0	0	0
1	100	100	0.1
2	200	150	0.2
3	300	200	0.3
4	400	250	0.4
5	500	300	0.5
6	600	350	0.6
7	700	400	0.7
8	800	450	0.8
9	900	500	0.9
10	1000	550	1.0
11	1100	600	1.1

5 YEAR STORM ROUTING

TIME (MIN)	INFLOW (CFS)	OUTFLOW (CFS)	DEPTH (FEET)
0	0	0	0
1	100	100	0.1
2	200	150	0.2
3	300	200	0.3
4	400	250	0.4
5	500	300	0.5
6	600	350	0.6
7	700	400	0.7
8	800	450	0.8
9	900	500	0.9
10	1000	550	1.0
11	1100	600	1.1



UNIT INFLOW HYDROGRAPH
 10 YEAR STORM
 5 MINUTE
 ONE HUNDRED ACRES
 (CFA RATIONAL FORMULA)



UNIT INFLOW HYDROGRAPH
 5 YEAR STORM
 5 MINUTE
 ONE HUNDRED ACRES
 (CFA RATIONAL FORMULA)

1) UNIT INFLOW HYDROGRAPH CALCULATED USING RATIONAL FORMULA
 2) UNIT INFLOW HYDROGRAPH CALCULATED USING RATIONAL FORMULA
 3) UNIT INFLOW HYDROGRAPH CALCULATED USING RATIONAL FORMULA

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FOR INFORMATION PURPOSES ONLY
 SOURCE: BELLAR STREET MEDICAL OFFICES (175-SP-013)



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

DESCRIPTION OF APPLICATION

Proposal:

The subject application is a Proffered Condition Amendment (PCA) for the Beulah Street II LLC property located in the northwest quadrant of the intersections of Grovedale Drive and Beulah Street in the Lee District. The applicant is seeking to amend the previously approved proffers and GDP associated with RZ 90-L-055 to permit the construction of a single three (3) story office building on parcel 17D in lieu of the four (4) townhouse style office buildings.

Amendments to the GDP:

- Previously approved overall GFA: 74,386 SF - Current proposal: 71, 349 square SF (3,037 SF reduction)
- Previously approved number of buildings: 5 buildings (A-E) - Current proposal: 2 buildings
- Previously approved open space: 30.5% open space - Current proposal: 39% open space
- Previously approved parking: 317 spaces – Current proposal: 307 spaces

The applicant's draft proffers, Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

LOCATION AND CHARACTER

Site Description:

The subject property contains approximately 4.85 acres and is located in the northwest quadrant of the intersections of Grovedale Drive and Beulah Street in the Lee District. The site is zoned C-2 and most of the site, except the southern tip of the site is within the Highway Corridor Overlay District. The site currently contains a 3-story, 33,066 SF office building, and associated parking (165 spaces) on the southern portion of the property (parcel 17D). There is an existing 7-foot high wood fence along the western boundary of the property, and a 4-foot high brick wall along the south eastern boundary of the site.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Franconia Volunteer Fire Dept.	R-3, HC	Public Facilities, Governmental & Institutional
North	Franconia Government Center	R-1, HC	Public Facilities, Governmental & Institutional
South	Medical/Dental Office	C-2	Office
East	Residential; SFD (Walhaven)	R-1, HC	Residential; 1-2 du/ac
East	Church	R-1, HC	Residential; 1-2 du/ac
West	Residential; SFD (Franconia Hills)	R-1, HC	Office
West	Nursery School	R-1, HC	Office

BACKGROUND

On October 28, 1991 the Board of Supervisors approved RZ 90-L-055 to rezone 5.63 acres from the R-1 & C-5 Districts & Highway Corridor District to the C-2 District & Highway Corridor District, subject to proffers dated October 25, 1991 to permit the development of office uses with a total gross floor area of 74,386 square feet.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV

Planning District: Springfield

Plan Map: Office

The Fairfax County Comprehensive Plan, 2007 Edition Area IV, Springfield Planning District, Amended through 9-11-2006 S9-Beulah Community Planning Sector Page 95 states:

Site Specific Text:

3. Within the Franconia Road, Beulah Street, and Grovedale Drive triangle, the area located south and west of both the Franconia Fire Station and the Franconia Government Center is planned for low intensity office use. Neighborhood-serving retail use up to .25 FAR is planned along Franconia Road. In order to develop either office or retail uses in the area, the following conditions should be met:

- Substantial parcel consolidation and a coordinated development plan that reflects a superior site layout and architectural design should be an element of any development proposal;
- The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street;
- A field survey should be conducted prior to final design plans and, if significant historic resources are found, appropriate preservation measures should be incorporated into the design phase;
- Development should be designed to retain as many of the indigenous hardwood trees as possible. Pedestrian-oriented open space areas, such as an easily accessible urban park, should be incorporated as an element of the development plan; and
- Roadway improvements necessary to ensure an acceptable level of service within the area affected by the development should be provided. The design of the internal circulation pattern and the location of related access points should be planned to minimize the traffic impact on the adjacent residential area.

Parcel 81-3((5)) 13 on Grovedale Drive, may also be appropriate for retail use up to .25 FAR.

ANALYSIS

Generalized Development Plan (Copy at the front of staff report)

Title of GDP:	Beulah Street Property
Prepared By:	Urban, Ltd.
Original/Revision Dates:	April 2007 as revised through November 5, 2007.

The GDP consists of twelve (12) sheets showing the following information:

	Contents
Sheet 1	Cover Sheet, Vicinity Map, Sheet Index
Sheet 2	Notes & Details
Sheet 3	Overall Plan
Sheet 4	Existing Conditions & Vegetation Map
Sheet 5	Site Layout

Sheet 6	Landscape Plan
Sheet 7	Architectural Elevations
Sheet 8	Stormwater Management Plan
Sheet 9	Storm Outfall Plan
Sheet 10	Detention Computations – Beulah Street Medical Offices
Sheet 11	Detention Calculations, Details, & Narratives– Beulah Street Medical Offices
Sheet 12	Erosion/Sediment Controls (Phase II) & Drainage Divides – Beulah Street Medical Offices

The following features are depicted on the proposed GDP:

Site Layout. The GDP depicts a total of two office buildings within the application area. The existing office building on the southern portion of the site is three stories and contains 33,066 SF. The proposed office building is shown to be three stories containing 38,282 SF with a maximum height of 40 feet, and is depicted near the northeast boundary of the subject site. The proposed office building will be setback 25 feet from the Beulah Street boundary of the site and is shown to be oriented to the south, towards the proposed surface parking lot. The existing office building is 32 feet in height and the proposed office building is shown to be a maximum of 40 feet in height. The existing office building is setback 40 feet from the Beulah Street boundary of the site and is oriented to the north, towards the existing surface parking lot. The two buildings are shown to be separated by a surface parking area containing 307 parking spaces. The existing parking area along the southern portion of the site contains 165 existing spaces and 142 spaces are proposed for the parking area on the northern portion of the property. The total gross floor area proposed for the site is 71,349 SF, resulting in a proposed F.A.R. of 0.34.

Vehicular Access. The GDP shows two existing vehicular access points to the subject site. There is one access point from Grovedale Drive along the southwest boundary of the site, and one access point from Beulah Street, along the eastern boundary of the site. A 100 foot taper is shown, providing a right turn lane into the subject site at the existing Beulah Street access point. Access is also provided from the subject site to the Franconia Government Center property to the north.

Pedestrian Access. The GDP shows pedestrian access routes throughout the application area. A 5-foot wide sidewalk exists along the Grovedale Drive and Beulah Street frontages of the property and an on-road bike lane exists within the right-of-way for Beulah Street. Pedestrian connections are also shown within the existing parking area of the site, providing access to the existing three story office building. On the northern portion of the site pedestrian connections are shown from Beulah Street to the proposed building and to the proposed open space areas on the site.

Parking. The GDP depicts an existing surface parking area on the southern portion of the property, north and west of the existing office building, containing 165 parking spaces. The parking area is shown to be extended to south of the proposed office building. The total number of parking spaces shown to be provided is 307.

Stormwater Management/best Management Practices. An existing gravel infiltration trench and underground storm vault which currently serves the site are shown under the existing parking area on the southeast portion of the site. A proposed "possible underground stormwater management vault" is shown under the parking area on the northern portion of the site, near the Beulah street access point to the site.

Open Space and Landscaping. Open space is provided throughout the subject property around the existing and proposed office buildings and within the surface parking area on the site. Pedestrian connections are provided to the proposed open space areas on the site. Five trees along the northern boundary of the site are shown "to be saved if possible" and 39% of open space is shown to be provided on the GDP.

Amenities: The amenities shown on the GDP include two open space areas consisting of picnic tables/benches. One of the open space areas is shown north of the proposed building (rear) and the other active open space area is shown to the west of the proposed office building.

Land Use Analysis:

The subject site is located in the Springfield Planning District, in the Beulah Community Planning Sector (S9). The Comprehensive Plan guidelines for this area recommend low intensity office use. The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street.

The Comprehensive Plan includes specific provisions for the development of the subject site. The Plan language recommends:

- Substantial parcel consolidation and a coordinated development plan that reflects a superior site layout and architectural design should be an element of any development proposal;

Parcel consolidation was addressed during the review of RZ 90-L-055. At that time parcel 20B, which consisted of 0.72 acres had not been consolidated with the application property and was identified as having little opportunity for future development as a single parcel. The applicant subsequently consolidated parcel 20B into the proposed development. The applicant has proposed a proffer stating that the proposed building shall be generally consistent with the elevation labeled

“Proposed Building” included in the GDP package. The elevations provided with the GDP depict architecture that is similar to the existing office building on the subject site.

- The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street;

The proposed office building will not directly front on Beulah Street. The building will be setback 25 feet from the Beulah Street boundary of the site and will be oriented to the south, towards the proposed surface parking lot. A 4 foot high brick wall is proposed along a portion of the Beulah Street frontage of the site to provide screening around the proposed parking lot.

- A field survey should be conducted prior to final design plans and, if significant historic resources are found, appropriate preservation measures should be incorporated into the design phase;

The previously approved proffers associated with RZ 90-L-055, which are proposed to remain in full effect with the current application, contain a proffer stating that prior to site plan approval, the Developer shall contract for a Phase I archeological analysis and that, if required by County Archaeologist after results of the Phase I are analyzed, the Developer shall conduct as Phase II archeological survey. Staff believes that based on the previously approved proffers that the applicant will have to conduct a Phase II archeological survey.

- Development should be designed to retain as many of the indigenous hardwood trees as possible. Pedestrian-oriented open space areas, such as an easily accessible urban park, should be incorporated as an element of the development plan;

The GDP shows five trees along the northern boundary of the site “to be saved if possible”. Open space areas are shown to the north and west of the proposed office building. The open space areas shown contain picnic tables and benches and pedestrian access is provided to these areas from Beulah Street.

- Roadway improvements necessary to ensure an acceptable level of service within the area affected by the development should be provided. The design of the internal circulation pattern and the location of related access points should be planned to minimize the traffic impact on the adjacent residential area.

The addition of another office building on the subject site will increase the traffic using the Beulah Street entrance to the site. To address the traffic impacts of the additional vehicle trips to the subject site based on the current proposal, the applicant has revised the GDP to show a 100 foot taper providing a right turn

lane into the subject site at the existing Beulah Street access point to the site.

Based on the provisions discussed above, staff has determined that the subject application is in conformance with the Comprehensive Plan.

Environmental Analysis: (See Appendix 7)

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use.

Issue: Stormwater Management (SWM)/Best Management Practices (BMP)

An existing infiltration trench currently serves the site and is proposed to also serve the site with the planned additional office building and surface parking. Staff had raised some concerns regarding the adequacy of the existing infiltration trench to provide stormwater management for the entire site as proposed.

Resolution:

The latest plans provided some additional information regarding the existing facilities. However, it is still unclear if this existing facility will be sufficient to meet the needs for the entire site with the additional impervious surface areas to be added. In the event the proposal does not satisfy the SWM/BMP standards in accordance with the Public Facilities manual (PFM) as determined by the Department of Public Works & Environmental Services (DPWES), approval of a PCA may be required. Any final determination regarding stormwater management for the site will be made by staff in the Department of Public Works and Environmental Services (DPWES).

Issue: Tree Preservation

The northern portion of the site has a number of trees noted to be saved as part of the proposed site development. These efforts are supported by staff, but should be done in a manner which will adequately protect these trees to ensure their long-term viability. Staff remains concerned about the apparent lack of screening to adjacent residential properties to the west. It appears that there may be opportunities to supplement existing plantings in this area to improve screening to adjacent residential lots.

Resolution:

The approved GDP depicted an 7-foot high brick wall along the western boundary of the property pursuant to Sect. 13-304 of the Zoning Ordinance which states:

The transitional screening yard width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier indicated by the matrix.

However, a proffer interpretation made by the Zoning Evaluation Division, DPZ in a letter dated September 24, 1993 determined that, in order to minimize the clearing necessary to construct the 7 foot high brick wall and avoid the stress to the trees designated to be saved, a 7-foot high cedar fence would be in substantial conformance with the approved GDP. That 7-foot high fence exists along a portion of the western boundary of the site.

Issue: Trails

The Countywide Trails Plan depicts an 8-foot wide trail within a 12-foot easement, or a 10-foot wide trails within the VDOT right-of-way at this location. While a 5-foot wide sidewalk exists along the frontage of the property and an on-road bike lane exists within the right-of-way for Beulah Street, the applicants should request a waiver of the trails requirement in favor of the existing conditions.

Resolution:

As there is an existing 5-foot wide sidewalk along the frontage of the property and an on-road bike lane exists within the right-of-way for Beulah Street, staff would not object to such a waiver.

Stormwater Management (SWM)/ Best Management Practices (BMP)

Analysis: (See Appendix 8)

Issue: Site Outfall

The description of the conditions of the outfall must be provided downstream to a point where the drainage area is at least 100 times the site area or at least one square mile. This requirement of Zoning Ordinance Section 16-502 requires more information than the minimum adequate outfall analysis requirements of the Public Facilities manual (PFM). The applicant only provides information based on the extent of downstream review as described in the PFM.

Resolution:

The proposed GDP has been revised to include a Storm Outfall Plan providing outfall information for a drainage area of 237 acres. The final determination regarding adequate outfall for the site will be made by staff in the Department of Public Works and Environmental Services (DPWES) at the time of site plan review.

Issue: Proposed Landscaping

The proposed landscape plan on sheet 6 of the GDP shows vegetation over or close to the proposed storm sewer system. The vegetation should be moved or the storm sewer realigned to resolve the potential conflict between the roots and the pipes.

Resolution:

The proposed landscaping plan has not been revised at this time nor has the storm sewer been realigned to avoid conflicts between the roots of the proposed trees and the proposed storm sewer. The applicant must make the required modification to address this issue, as determined by DPWES. If the measures prescribed by DPWES are not in substantial conformance with the GDP, an amendment to the PCA may be required.

Transportation Analysis: (See Appendix 9)

Issue: Bus shelter on Beulah Street

The Transit Operations Division of the Fairfax County Department of Transportation (FCDOT) has requested that a bus shelter be provided on Beulah Street approximately 40 feet northeast of the entrance to the parking lot.

Resolution:

The applicant has proposed a proffer stating that the applicant shall install a bus shelter along the Application Property's Beulah Street frontage in a location generally to the northeast of the entrance. With the adoption of the proposed proffers this issue will be resolved.

Issue: Right turn lane at Beulah Street entrance

The addition of another office building on the subject site will increase the traffic using the Beulah Street entrance to the site. The existing entrance at that location is restricted to right turn in/right turn out. The applicant should address the need to construct a right turn lane at this entrance.

Resolution:

The revised GDP now depicts a 100 foot taper providing a right turn lane into the subject site at the existing Beulah Street access point to the site. With that provision, this issue has been resolved.

Park Authority Analysis: (See Appendix 10)

Issue: Phase I Archeological Survey

Park Authority Cultural Resources and Protection section (CRMPS) staff conducted an archival review of the parcel and the review indicated that the undeveloped, northern half of the property is the location of the pre-World War II, "Levin Construction Corp.: business". One building on the property has a Virginia Dept. Of Historic Resources architectural survey registration (DHR id# 029-0351), which dates to ca. 1930. The property also has a moderate potential for significant industrial archeological features. The Park Authority recommends that the northern half of the subject property be subjected to a Phase II Archeological Study.

Resolution:

The previously approved proffers associated with RZ 90-L-055, which are proposed to remain in full effect with the current application, contain a proffer stating that prior to site plan approval, the Developer shall contract for a Phase I archeological analysis and that if required by County Archaeologist after results of the Phase I are analyzed, the Developer shall conduct as Phase II archeological survey shall be conducted. Staff believes that based on the previously approved proffers that applicant will have to conduct a Phase II archeological survey and therefore this issue has been resolved.

Fire and Rescue Analysis (Appendix 11)

The site is serviced by the Franconia Station #405 of the Fairfax County Fire and Rescue Department and currently meets fire protection guidelines.

Water Service Analysis (Appendix 12)

The property is located within the Fairfax County Water Authority service area and adequate domestic water service is available at the site from an existing 8-inch water main located at the property.

ZONING ORDINANCE PROVISIONS (Appendix 13)

Bulk Standards (C-2 Zoning)		
Standard	Required	Provided
Lot Size	20,000 square feet	2.081 acres (90,647 SF)
Lot Width	100 feet	301 feet
Front Yard	Controlled by a 30° angle of bulk plane, but not less than 25 feet	Existing Bldg: 40 feet Proposed Bldg: 25 feet

Bulk Standards (C-2 Zoning)		
Standard	Required	Provided
Side Yard	N/A	Existing Bldg: N/A Proposed Bldg: N/A
Rear Yard	25 feet	Existing Bldg: 65 feet Proposed Bldg: 210 feet
Building Height	40 feet	Existing Bldg: 32 feet Proposed Bldg: 40 feet
FAR	0.50	0.34
Open Space	30%	39%
Parking Spaces	3.6 spaces/1000 SF of GFA 3.6 * 33.066 = 199 (17C) 3.6 * 38.282 = 138 (17D) 3.6 * 71.349 = 257 (overall)	165 spaces (existing) 17C <u>142 spaces (proposed) 17D</u> 307 spaces (overall)
Loading Spaces	1 space for the first 10,000 SF GFA, plus one (1) space for each additional 20,000 square feet or major fraction thereof. 2 loading spaces (17C) <u>2 loading spaces (17D)</u> 4 loading spaces (overall)	2 loading spaces (existing) 17C <u>2 loading spaces (proposed) 17D</u> 4 loading spaces (overall)
Transitional Screening		
North (Gov. Center)	N/A	5 ft.*
North (VFD)	N/A	38 ft.*
East (SFD)	TS -2 (35 ft.)	10 ft.*
East (Church)	TS -1 (25 ft.)	10 ft.*
South (Office)	N/A	None
West (SFD)	TS-2 (35 ft.)	10 ft.*
West (Nursery School)	TS -1 (25 ft.)	10 ft.*
Barrier		
North (Gov. Center)	H	None*
North (VFD)	H	None*
East (SFD)	D, E, or F	4 ft. high brick wall
East (Church)	A, B, or C	4 ft. high brick wall
South (Office)	N/A	N/A
West (SFD)	D, E, or F	7 ft. high wood fence
West (Nursery School)	A, B, or C	7 ft. high wood fence

* Waivers & Modifications previously approved with the approval of RZ 90-L-055

WAIVERS/MODIFICATIONS

Reaffirmation of previously approved waivers and modifications:

- Modification of the transitional screening requirements along the eastern, northern, and western property boundaries of the site pursuant to sect. 13-304 of the Zoning Ordinance in favor of that shown on the GDP.

A modification of the transitional screening requirements along the eastern, northern, and southern property boundaries was approved with the original rezoning of the subject property (RZ 90-L-055).

The approved GDP depicted a 7-foot high brick wall along the western boundary of the property pursuant to Sect. 13-304 of the Zoning Ordinance which states:

The transitional screening yard width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier indicated by the matrix.

However, a proffer interpretation made by the Zoning Evaluation Division, DPZ in a letter dated September 24, 1993 determined that, in order to minimize the clearing necessary to construct the 7 foot high brick wall and avoid the stress to the trees designated to be saved, a 7-foot high cedar fence would be in substantial conformance with the approved GDP. That 7-foot high fence exists along most of the western boundary of the site; therefore the application meets that standard.

The approved GDP depicted a 4-foot high brick wall along the entire Beulah Street frontage of the site. The same interpretation letter noted above determined that to accommodate an adequate horizontal line of sight, the brick wall could be reduced to 3 feet and that construction of that wall and installation of the associated landscaping north of the Beulah Street access to the site could be delayed until that portion of the site was developed. The current GDP depicts an existing 4-foot high brick wall along the southern portion of the Beulah Street frontage of the site and a proposed 4-foot high brick wall along a portion of the northern portion of the Beulah Street frontage of the site. The wall does not extend all the way to the northern boundary of the site in order to accommodate an existing sight distance easement at that portion of the site. The Zoning Ordinance states that:

Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.

The abutting properties to the north consist of the Franconia Government Center and the Franconia Volunteer Fire Department; therefore, the application meets that standard and staff is supportive of the modification requested.

- Waiver of the barrier requirement along the northern property boundary pursuant to sect. 13-304 of the Zoning Ordinance.

As noted above, Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital, and this standard has been met; therefore, staff is supportive of the modification requested.

- Waiver of the Countywide Trails Plan recommendation for a 10-foot wide trail within the VDOT right-of-way on Beulah Street in favor of the existing sidewalk.

A waiver of the Countywide Trails Plan along Beulah Street is required with this application. As there is an existing 5-foot wide sidewalk along the Beulah Street frontage of the property and an on-road bike lane exists within the right-of-way for Beulah Street, staff would not object to such a waiver.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As discussed previously, the subject site is located in the Springfield Planning District, in the Beulah Community Planning Sector (S9). The Comprehensive Plan guidelines for this area recommend low intensity office use. The subject application seeks approval to permit construction of a three-story office building on Parcel 17D in lieu of the four townhouse style office buildings. The proposed building will contain 38,283 GSF, which added to the 33,066 SF contained in the existing three-story office building results in an over all GFA of 71,349 SF and an F.A.R. of 0.34. The total number of parking spaces on the subject property will be reduced from the 317 previously approved to 307 spaces. Staff believes that the subject application is in conformance with the Comprehensive Plan requirements and the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of PCA 90-L-055 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along the eastern, northern, and western property boundaries of

the site pursuant to Sect. 13-304 of the Zoning Ordinance in favor of that shown on the GDP.

Staff recommends approval of a waiver of the barrier requirement along the northern property boundary pursuant to Sect. 13-304 of the Zoning Ordinance.

Staff recommends approval of a waiver of the Countywide Trails Plan recommendation for a 10-foot wide trail within the VDOT right-of-way at this location.

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

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

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

APPENDICES

1. Draft Proffer Statement
2. Affidavit
3. Applicant's Statement of Justification
4. Proffers accepted with the approval of RZ 90-L-055
5. Proffer Interpretation Letter for RZ 90-L-055 dated September 24, 1993
6. Plan Citations
7. Environmental Analysis
8. Stormwater Management/Best Management Practices Analysis
9. Transportation Analysis
10. Park Authority Analysis
11. Fire and Rescue Analysis
12. Water Service Analysis
13. Selected Excerpts from the Zoning Ordinance
14. Glossary of Terms

DRAFT PROFFERS**BEULAH STREET II, LLC**

PCA 90-L-055

November 8, 2007

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Beulah Street II, LLC (hereinafter referred to as the "Applicant"), for itself, successors and assigns in PCA 90-L-055, filed for property identified as Tax Map 81-3 ((5)) 17C and 17D (hereinafter referred to as the "Application Property"), hereby proffers the following, provided that the Board of Supervisors approves an amendment to proffered conditions in conjunction with a Generalized Development Plan (GDP) for commercial development. Previously approved proffers dated October 25, 1991 shall remain in full force and effect except as modified herein. Should there be any conflicts between those proffers dated October 25, 1991 and these proffers, these proffers shall control.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP, consisting of eight sheets prepared by Urban, Ltd. Dated April 26, 2007 and revised through November 5, 2007.
- b. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout and location of the proposed building and amenities at time of site plan submission based on final building footprint, parking, utility locations, and final engineering design, provided that such does not materially decrease the amount and location of open space, tree save areas, or distance to peripheral lot lines.
- c. The proposed building located on that portion of the Application Property identified as Tax Map 81-3 ((5)) 17D shall be generally consistent with the elevation labeled "Proposed Building" on Sheet 8 of the GDP.

2. LANDSCAPING AND OPEN SPACE

- a. The Applicant shall provide landscaping on the Application Property as generally shown on the GDP.
- b. The Applicant shall adhere to the limits of clearing and grading as shown on the GDP. The Applicant shall retain the services of a certified arborist or

landscape architect and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall inspect the trees identified on the GDP to be saved if possible with an Urban Forest Management (UFM) representative. Trees identified to be preserved shall be protected by tree protection fencing in the form of 4 foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other forms of tree protection fencing approved by UFM. Tree protection fencing shall be erected at the limits of clearing and grading as shown on the GDP. Trenching for the fence shall not sever or wound compression roots which can lead to structural failure and/or uprooting of trees. Tree protection fencing shall be installed prior to any clearing and grading activities.

The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

3. STORMWATER MANAGEMENT – BEST MANAGEMENT PRACTICES

The Applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in a location as generally shown on the GDP and in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified by DPWES. In the event that on-site stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP facilities shown on the GDP shall not require the approval of a proffered condition amendment.

4. TRANSPORTATION

The Applicant shall install a bus shelter along the Application Property's Beulah Street frontage in a location generally to the northeast of the entrance. The final bus shelter location shall be mutually agreed to by the Applicant, the Fairfax County Department of Transportation and the Virginia Department of Transportation.

5. MISCELLANEOUS

- a. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.
- b. These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT / TITLE OWNER OF TAX MAP
81-3 ((5)) 17C

BEULAH STREET, LLC

By: Andrew M. Gomer
Its: Member

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
81-3 ((5)) 17D

BEULAH STREET II, LLC

By: Andrew M. Gomer
Its: Member

[SIGNATURES END]

REZONING AFFIDAVIT

DATE: October 15, 2007
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/agent, 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

962496

in Application No.(s): PCA 90-L-055
 (enter County-assigned application number(s), e.g. RZ 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 must 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)
Beulah Street II, LLC Agents: Andrew M. Gomer Harley B. Bernstein Fred L. Levy	6412 Beulah Street, #300 Alexandria, VA 22310	Applicant/Title Owner of Tax Map 81-3 ((5)) 17D
Beulah Street, LLC Agents: Andrew M. Gomer Harley B. Bernstein Fred L. Levy	6412 Beulah Street, #300 Alexandria, VA 22310	Title Owner of Tax Map 81-3 ((5)) 17C

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

Rezoning Attachment to Par. 1(a)

DATE: October 15, 2007
 (enter date affidavit is notarized)

962496

for Application No. (s): PCA 90-L-055
 (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)
Urban Engineering & Associates, Inc. t/a Urban Ltd.	7712 Little River Turnpike Annandale, Virginia 22003	Engineers/Agent
Agents: David T. McElhanev Alvis H. Hagelis		
Bignell Watkins Hasser Architects P.A.	2661 Riva Road, #1030 Annapolis, Maryland 21401	Consultant/Agent
Agents: Mark R. Palmer (former) Adel A. Nur Christopher M. Gichuhi		
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Jason B. Heinberg Abby C. Denham Tara E. Wiedeman Blair A. Lonergan (former) Sara V. Mariska Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby		

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

REZONING AFFIDAVIT

DATE: October 15, 2007
(enter date affidavit is notarized)

962496

for Application No. (s): PCA 90-L-055
(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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Beulah Street II, LLC
6412 Beulah Street, #300
Alexandria, VA 22310

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)

- Fred L. Levy, Member
- Ayampillay Jeyanathan (nmi), Member
- Claudia S. Angelone, Member
- Timothy Murray (nmi), Member
- Andrew M. Gomer, Member

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

Andrew M. Gomer, President; Ayampillay Jeyanathan, VP; Claudia S. Angelone, Treasurer; Fred L. Levy, Secretary

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.*

Rezoning Attachment to Par. 1(b)

DATE: October 15, 2007
(enter date affidavit is notarized)

962490

for Application No. (s): PCA 90-L-055
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Beulah Street, LLC
6412 Beulah Street, #300
Alexandria, VA 22310

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 SHAREHOLDER: (enter first name, middle initial, and last name)

Fred L. Levy, Member	Timothy Murray (nmi), Member
Ayampillay Jeyanathan, Member	Andrew M. Gomer, Member
Claudia S. Angelone, Member	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)
Andrew M. Gomer, President; Ayampillay Jeyanathan, VP; Claudia S. Angelone, Treasurer; Fred L. Levy, Secretary

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

Urban Engineering & Associates, Inc. /a Urban Ltd.
7712 Little River Turnpike
Annandale, Virginia 22003

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)

Barry B. Smith
J. Edgar Sears, Jr.
Brian A. Sears

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

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

Rezoning Attachment to Par. 1(b)

DATE: October 15, 2007
(enter date affidavit is notarized)

962496

for Application No. (s): PCA 90-L-055
(enter County-assigned application number (s))

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

Bignell Watkins Hasser Architects P.A.
2661 Riva Road, #1030
Annapolis, Maryland 21401

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 SHAREHOLDER: (enter first name, middle initial, and last name)

Francis X. Watkins
George L. Hasser

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

REZONING AFFIDAVIT

DATE: October 15, 2007
(enter date affidavit is notarized)

96249e

for Application No. (s): PCA 90-L-055
(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, number, street, city, state and zip code)
None

(check if applicable) 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)

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning 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.*

REZONING AFFIDAVIT

DATE: October 15, 2007
(enter date affidavit is notarized)

962490

for Application No. (s): PCA 90-L-055
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: October 15, 2007
(enter date affidavit is notarized)

962496

for Application No. (s): PCA 90-L-055
(enter County-assigned application number(s))

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 "Rezoning 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)

Sara V. Mariska
 Applicant

Applicant's Authorized Agent

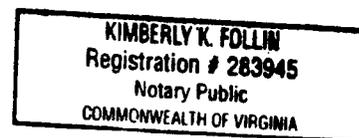
Sara V. Mariska, Attorney/Agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 15 day of October, 2007, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follen
Notary Public

My commission expires: 11/30/2007





**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Jason B. Heinberg
(703) 528-4700 Ext. 5417
jheinberg@arl.thelandlawyers.com

May 3, 2007

RECEIVED
Department of Planning & Zoning

MAY 04 2007

Zoning Evaluation Division

Via Hand Delivery

Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Proposed Proffered Condition Amendment
Applicant: Beulah Street II, LLC

Dear Ms. Byron:

Please accept this letter as a statement of justification to permit modifications to an approved office development on property identified among the Fairfax County tax map records as 81-3 ((5)) 17C and 17D (the "Subject Property").

The Subject Property contains approximately 4.85 acres and is located in the northwest quadrant of the intersection of Beulah Street and Grovedale Drive in the Lee Magisterial District. The Subject Property is zoned to the C-2 District, and a portion of the site is located within the Highway Corridor Overlay District. On October 28, 1991, the Fairfax County Board of Supervisors (the "Board") approved RZ 90-L-055, that rezoned the Subject Property from the R-1 District and the C-5 District to the C-2 District. The approved proffers and generalized development plan ("GDP") associated with RZ 90-L-055 permit up to 74,386 square feet of gross floor area ("GSF") of medical office and general offices uses. The Board also approved certain modifications and waivers of transitional screening and barrier requirements along the northern, eastern and western property boundaries. The Fairfax County Zoning Ordinance (the "Ordinance") was amended subsequent to the approval of RZ 90-L-055 and no longer distinguishes between medical and general office uses, instead classifying both as office use.

The GDP illustrates a development program with a combination of conventional and townhouse style office uses. The building depicted on the GDP as Building A is located on the southern portion of the Subject Property and identified among the Fairfax County tax map records as 81-3 ((5)) 17C ("Parcel 17C"). The GDP depicts Building A as a medical office building that is approved for up to 35,190 GSF of development. The existing improvements include an office building containing 33,066 GSF, as well as 157 parking spaces. The GDP also illustrates four (4) buildings, depicted as Buildings B through E, that are located on the northern portion of the Subject Property and identified among the Fairfax County tax map records as 81-3

((5)) 17D ("Parcel 17D"). Buildings B through E are depicted as townhouse style office and are approved for an aggregate building area of 39,196 GSF. The approved proffers require, among other things, that the architectural design of the townhouse style office buildings shall be consistent with an architectural elevation attached to the proffers that is identified as Exhibit C. Parcel 17D is currently vacant, as Buildings B through E have not been constructed.

The Applicant requests a proffered condition amendment to permit construction of a single, three (3) story office building on Parcel 17D in lieu of the four (4) approved townhouse style office buildings illustrated on the GDP. The Applicant's proposal will not modify the existing building and site improvements located on Parcel 17C. The building proposed on Parcel 17D is consistent in design and materials with the existing office building. The building is designed to incorporate traditional elements that maintain similar proportions to the existing office building. Three gabled features, including the main entry, preserve the scale of the existing building, while matching brick creates a uniformity in building materials that visually ties the structures together. The proposed building height of forty (40) feet is in conformance with the maximum building height identified on the GDP, and is consistent with the underlying C-2 District regulations. The proposed building will contain 38,283 GSF, which represents a reduction in building size compared to the maximum 39,196 GSF allowed pursuant to the proffers and the GDP. Overall, the proposal results in an intensity of .34 floor area ratio ("FAR") on the Subject Property. The proposed intensity is well below the .50 FAR permitted in the C-2 District. Moreover, the 71,394 GSF of building improvements is less than the 74,386 GSF permitted pursuant to the approved GDP.

The Applicant's proposal encourages a more efficient use of land that results from locating the building in a single, central area rather than dispersing the approved square footage in four building sites. The reduction from four (4) buildings to one (1) building in this area of the Subject Property reduces impacts on adjacent properties by consolidating the building improvements into one focal area, thereby increasing the linear distance between the improvements and the perimeter lot lines. The more efficient layout also creates an opportunity to provide additional open space, with the proposed 41% open space substantially exceeding the 30.05% open space required pursuant to the approved GDP. Lastly, the proposal will limit impervious surface by reducing the total number of parking spaces provided on the Subject Property from 317 spaces permitted by the approved GDP to 307 spaces.

The Subject Property is located within Land Unit C of the S9 Beulah Community Planning Sector of the Area IV Comprehensive Plan (the "Plan"). The Subject Property is subject to site specific recommendation three (3) in the Plan text. Specifically, the Plan recommends low intensity office use, subject to conditions regarding parcel consolidation, screening and buffering, historic resources, tree preservation and open space, as well as transportation improvements. The Plan map also identifies the Subject Property as designated for office development. The Applicant's proposal maintains the same use and intensity under the approved GDP and is in conformance with the recommendations of the Plan.

May 3, 2007

Page 3

The Applicant hereby requests reaffirmation of the following waivers and modifications:

- Modification of the transitional screening requirements along the northern, eastern and southern property boundaries pursuant to Sect. 13-304 of the Ordinance in favor of that shown on the GDP.
- Waiver of the barrier requirement along the northern property boundary pursuant to Sect. 13-304 of the Ordinance.

I would appreciate your acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.


Jason B. Heinberg

JBH/aab

cc: Harley Bernstein
Andy Gomer
Fred Levy
Dave McElhaney
Mark Palmer
Lynne Strobel
Martin D. Walsh

{A0115425.DOC / 1 SOJ 5/3/07 005750 000002}



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 Chain Bridge Road
 Fairfax, Virginia 22030



November 11, 1991

Robert A. Lawrence, Esquire
 Hazel and Thomas, P.C.
 3110 Fairview Park Drive - Suite 1400
 Post Office Box 12001
 Falls Church, Virginia 22042-4505

Re: Rezoning Application
 Number RZ 90-L-055

Dear Mr. Lawrence:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 28, 1991, granting, as proffered, Rezoning Application RZ 90-L-055 in the name of Levin Construction Corporation, to rezone certain property in the Lee District from the R-1 and C-5 Districts and Highway Corridor District to the C-2 District and Highway Corridor District, subject to the proffers dated October 25, 1991, on subject parcels 81-3 ((5)) 17, 17A, 18A, 18B, 18, 19, 20B; and 81-3 ((8)) 501, 502, A consisting of approximately 5.63 acres.

The Board also:

- Modified the transitional screening requirement along the north, east, and west property lines in favor of that shown on the Generalized Development Plan;
- Modified the barrier requirement in the vicinity of the 64-inch willow oak near the northeast corner of the site and the two 18-inch oaks along the southwest property line as determined by the Urban Forestry Branch of the Department of Environmental Management; and
- Waived the barrier requirement along the north property line.

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia, on the 28th day of October, 1991, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NO. RZ 90-L-055

WHEREAS, Levin Construction Corporation, filed in the proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from the R-1 and C-5 Districts, and Highway Corridor District to the C-2 District and Highway Corridor District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

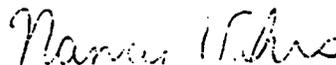
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the C-2 District and Highway Corridor District, and said property is subject to the use regulations of said C-2 District and Highway Corridor District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 28th day of October, 1991.



Nancy Vehrs
Clerk to the Board of Supervisors

Levin Construction Company
RZ 90-L-055
October 25, 1991

PROFFERS

Pursuant to §15.1-451 a) of the 1950 Code of Virginia, as amended, the undersigned proffers the following conditions provided the property is rezoned to the C-2 District in accordance with the proffers set forth herein. For the purpose of these proffers, the term "Developer" refers to Levin Construction Company, its successors or assigns.

1. Subject to the provisions of §18-204 of the Fairfax County Zoning Ordinance, the subject property shall be developed for office uses with a gross floor area of 74,386 square feet in conformance with the Generalized Development Plan and the Pedestrian Circulation Plan prepared by Design Management Group, revised as of October 22, 1991.
2. The architectural treatment of Building A located at the corner of Grovedale Drive and Beulah Street shall be as shown in the architectural elevation prepared by Marshall Erdman and Associates, Inc., dated May 30, 1991 (Exhibit "A" attached hereto). Building materials and design will be similar on all sides of the building. The building footprint will be as shown on

the building footprint drawing prepared by Marshall Erdman and Associates, Inc., dated May 30, 1991 (Exhibit "B" attached hereto). The architectural treatment of Buildings B, C, D, and E shall be as shown on the architectural elevation prepared by Valge Associates, P.C. (Exhibit "C" attached hereto).

3. The Developer shall provide construction of a left turn lane and right turn deceleration lane into the site from Beulah Street as generally shown on the Generalized Development Plan, subject to Virginia Department of Transportation (VDOT) approval. Where applicable, the Developer shall dedicate right-of-way to the Board of Supervisors by conveyance in fee simple, and ancillary easements for signs, temporary grading, and construction easements adjacent to said right turn deceleration lane. Dedication and easements shall be made at the time of site plan approval or upon demand by the Board of Supervisors, whichever first occurs.

4. The Developer shall dedicate right-of-way to the Board of Supervisors in fee simple for a realigned Grovedale Drive across the frontage of the site as shown on the Generalized Development Plan, and ancillary easements for signs and temporary grading and construction

easements adjacent thereto. Dedication and easements shall be made at the time of site plan approval or upon demand of the Board of Supervisors, whichever first occurs. The Developer shall also construct a realignment of Grovedale Drive within said dedicated right-of-way and provide a left turn lane from Beulah Street onto Grovedale Drive, subject to VDOT approval. The performance bond for said realignment shall be executed and delivered to Fairfax County prior to issuance of any building permit.

5. Landscaping and tree preservation shall be provided in accordance with the approved Generalized Development Plan, subject to approval by the Urban Forestry Branch. Types of plantings and location of plantings are subject to change with prior approval by the Urban Forestry Branch, but only after written notification of such proposed changes are delivered to the Lee District Supervisor's office by the Developer. The Developer shall adhere to the limits of clearing and grading and tree preservation designations shown on the Generalized Development Plan. At the time of grading plan review, the Developer shall designate limits of clearing and grading, to protect individual trees shown on the Plan for preservation. Final limits of clearing and grading shall be subject to Urban Forestry Branch approval.

Existing "individual trees" within the limits of clearing and grading, designated for protection as set forth above, shall be marked for preservation prior to clearing and grading and at all times during construction, as determined by the Urban Forestry Branch. The drip lines of such trees shall be protected by inclusion within the limits of clearing and the limits of clearing and grading shall be marked on the ground with filter fabric or equivalent demarcation prior to clearing and grading and at all times during construction. The Developer shall replace any tree designated for preservation that is damaged or destroyed during construction activity, or, any tree designated for preservation that cannot be saved, with a tree(s) of comparable species and size as is reasonably possible as determined by the Urban Forestry Branch.

6. Stormwater management facilities on-site shall meet BMP requirements. In addition, in order to reduce hydrocarbon concentrations in runoff from the site, an oil grit separator shall be provided. The oil grit separator shall be designed in conformance with the methods recommended in Chapter 8 of the Metropolitan Washington Council of Governments (COG) document entitled Controlling Urban Runoff or with other methods

approved by the Department of Environmental Management (DEM). The oil grit separator(s) shall be cleaned via vacuum pumping at least four (4) times per year. The qualifications of the maintenance operator shall be reviewed and approved by the appropriate Fairfax County agency as determined by DEM. Oil grit separator maintenance records shall be kept on-site and shall be made available to County officials upon request.

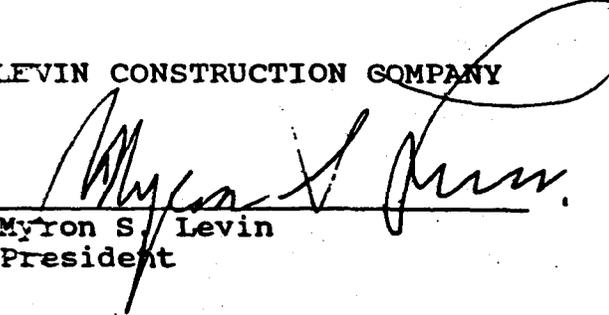
7. Prior to site plan approval, the Developer shall contract for a Phase I archaeological analysis. If required by the County Archaeologist after results of Phase I are analyzed, the Developer shall conduct a Phase II archaeological survey of the subject property in coordination with the Office of Comprehensive Planning and provide a written report to the County Archaeologist as to the results of said survey. Said survey shall be completed prior to site plan approval by DEM. If significant historical resources are found, appropriate preservation measures, as approved by the County Archaeologist, shall be utilized.

8. After approval of the rezoning requested herein is finalized, the Developer shall enter into an agreement with the Franconia Volunteer Fire Department, Inc. to provide alternative access to Beulah Street, and to

provide additional parking for the Fire Department, all in substantial conformance with the proposed agreement bearing the date of October 18, 1991. In the event that the first phase of construction does not include the forty-five (45) parking space area referenced in said agreement, the Developer shall provide interim gravel-surfaced parking for forty-five (45) automobiles, subject to DEM approval.

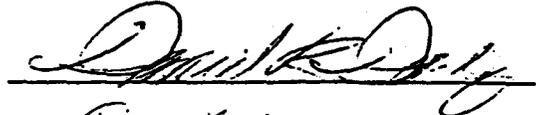
9. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

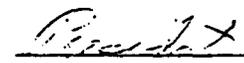
LEVIN CONSTRUCTION COMPANY

By: 

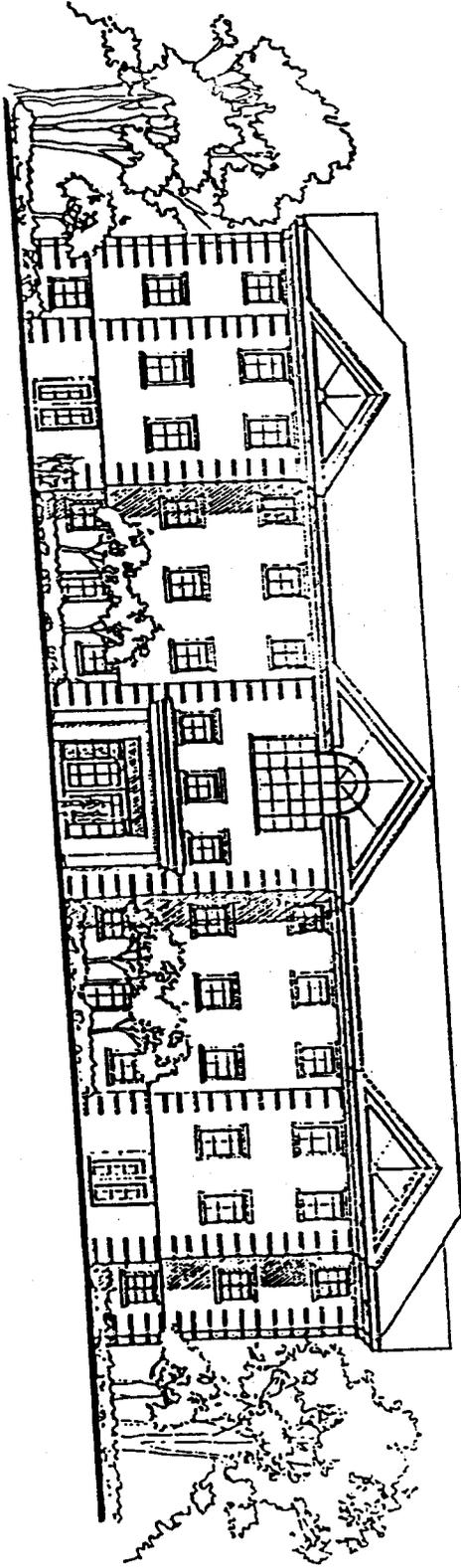
Myron S. Levin
President

ALEXANDRIA COMMUNITY
HEALTHCARE GROUP

By: 

Title: 


Marion E. Huffman
Contract Seller of Tax Map
Reference 81-3-05-20B



FRONT ELEVATION

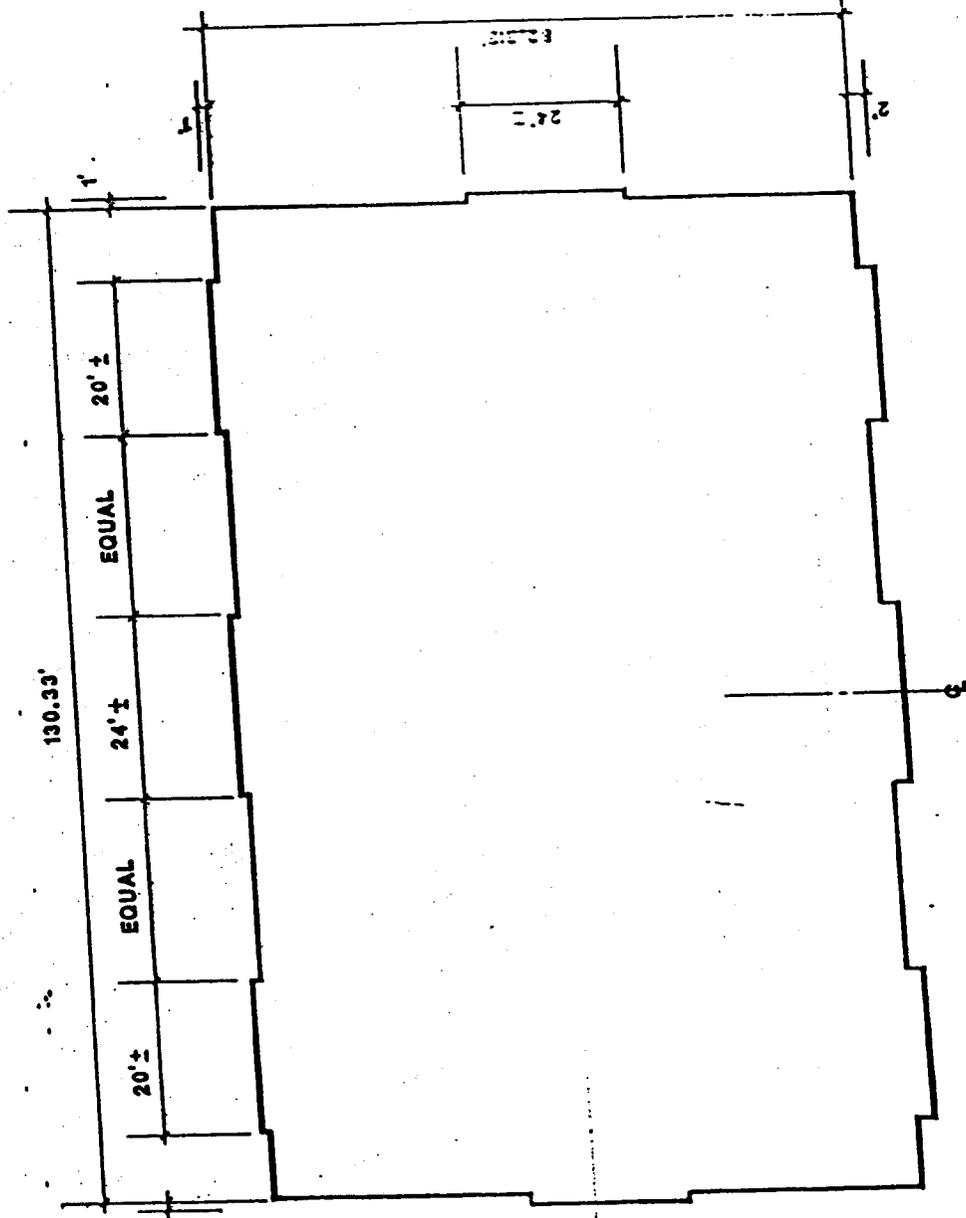
FRANCONIA MEDICAL BUILDING
elevation

MAY 30, 1991



Marshall Edman and Associates, Inc.
Architects and Engineers
1000 North 10th Street, Suite 100
Fargo, ND 58102

EXHIBIT "B"



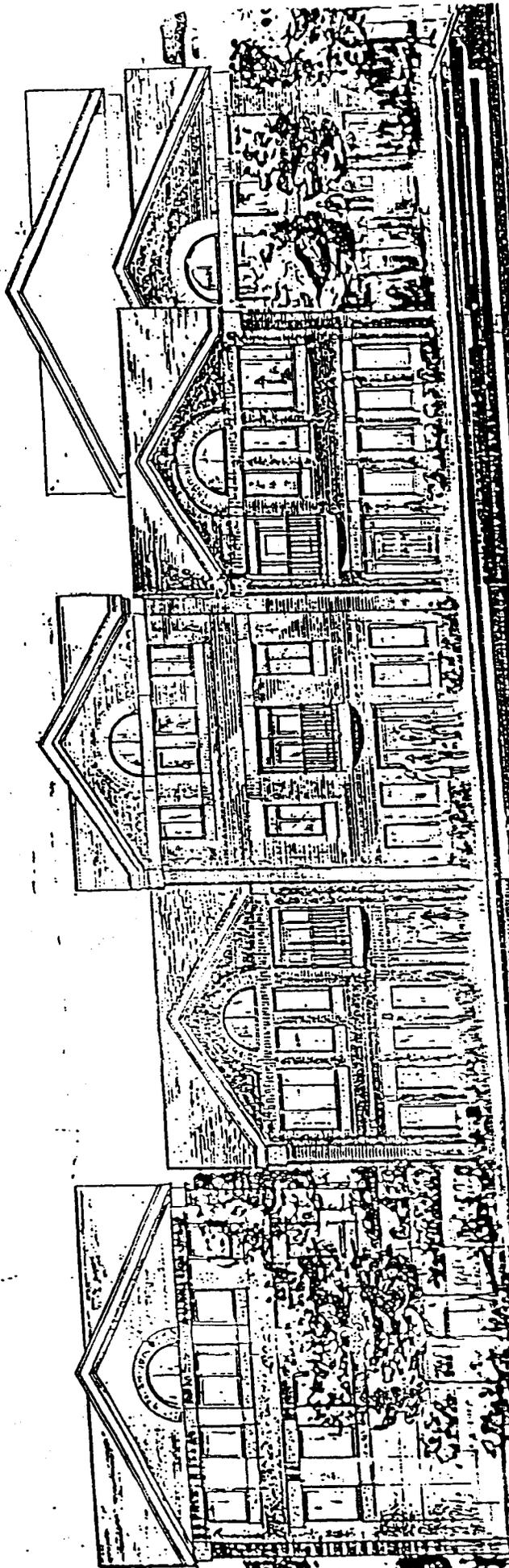
PROPOSED BUILDING FOOTPRINT
FRANCONIA MEDICAL BUILDING

Marshall Erdman and Associates, Inc.
Design / Engineering / Prefabrication / Construction
Washington, DC • Richmond • Atlanta • Dallas • Denver
Nashville • Hartford • Washington, DC • Richmond • Atlanta • Dallas • Denver

DATE MAY 30, 1991 DESIGNER
CONSULTANT
DRAFTSMAN



EXHIBIT "C"



BEULAH STREET ELEVATION

BEULAH STREET
OFFICE TOWNHOUSES

MADIS VALDE ASSOCIATES
ARCHITECT AIA
1000 EIGHTH AVENUE, SUITE 100
OILVER SPRING, MARYLAND 21010





FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

V I R G I N I A

(703) 324-1290

Fax 324-3924

September 24, 1993

Charles H. Auerbach
Marshall Erdman and Associates, Inc.
8550 Cinder Bed Road, Suite 1300
Newington, Virginia 22122

Re: Interpretation for RZ 90-L-055, Beulah Street Medical Offices
Tax Map 81-3 ((5)) 17, 17-A, 18, 18-A, 18-B, 19
81-3 ((8)) A, 501, 502
Provision of Cedar Fence in Lieu of Brick Wall and
Timing of Construction of Brick Wall Along Beulah Street Frontage

Dear Mr. Auerbach:

This is in response to your letter of August 16, 1993, requesting an interpretation regarding Proffer Number 1 of the proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 90-L-055. As I understand it, there are two (2) questions. The first question is whether the provision of a seven (7) foot high cedar fence along the northwest property line in lieu of a seven (7) foot high brick wall is in conformance with the proffered Generalized Development Plan (GDP) and Proffer Number 1. The second question is whether a three (3) foot high brick wall and associated landscaping along Beulah Street from the entry drive to the fire station has to be constructed as part of the three (3) story medical office building development. This determination is based on the plan attached to your letter of August 16, 1993, entitled Landscaping and Street Light Plan, Construction Phase I, Beulah Street Medical Offices and prepared by R.C. Fields, Jr. & Associates which is dated March 1992, as revised through July 1992. Copies of the above referenced letter and a reduction of the plan are attached.

With regard to the first question, Proffer Number 1 states that the subject property should be developed in accordance with the GDP. The GDP depicts a seven (7) foot high brick wall along the northwestern boundary of the subject property. You indicate that construction of the brick wall would require a trench approaching four (4) feet in width to provide deep concrete footings. You also state that additional clearing would be necessary to provide access for a concrete truck. To minimize the clearing of existing vegetation and to avoid stress to the trees designated to be saved, a seven (7) foot high cedar fence is proposed in lieu of the seven (7) foot high brick wall. Construction of the cedar fence would be less damaging to the existing vegetation and would require that small holes be dug only at locations of the support posts.

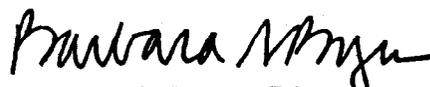
Because of the lighter weight of the materials for the cedar fence, clearing existing vegetation for truck access would not be required. It is my determination that the provision of a seven (7) foot high cedar fence in lieu of a seven (7) foot high brick wall is in conformance with the proffered Generalized Development Plan (GDP) and Proffer Number 1.

The second question concerns the timing of construction of a brick wall along the Beulah Street frontage of the site. The proffered GDP depicted a four (4) foot high brick wall along the entire Beulah Street frontage. To accommodate an adequate horizontal line of sight, the brick wall was reduced to three (3) feet in height pursuant to an interpretation letter dated March 20, 1992, and addressed to R.J. Keller of R.C. Fields, Jr. & Associates. The proffers accepted in conjunction with the approval of RZ 90-L-055 do not address the timing of construction of the brick wall along the Beulah Street frontage of the site. Since there are no current plans to develop the site from north of the entry drive on Beulah Street to the Franconia Volunteer Fire Department, it is appropriate to delay construction of this portion of the wall, including the associated landscaping, until this portion of the site is developed. It is my determination that construction of the three (3) foot high brick wall and installation of the associated landscaping for the area north of the entry drive on Beulah Street to the fire station is not required at this time. However, construction of the three (3) foot high brick wall and installation of associated landscaping north of the entry drive from Beulah Street will be required prior to the issuance of any Non-Residential Use Permit (Non-RUP) for any structure other than the three (3) story medical office building to be constructed near the corner of Grovedale Drive and Beulah Street.

This determination has been reviewed with the Urban Forestry Branch, Department of Environmental Management (DEM), and 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 me or Robby Robinson at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, OCP

BAB/RR:61/47

Attachments: A/S

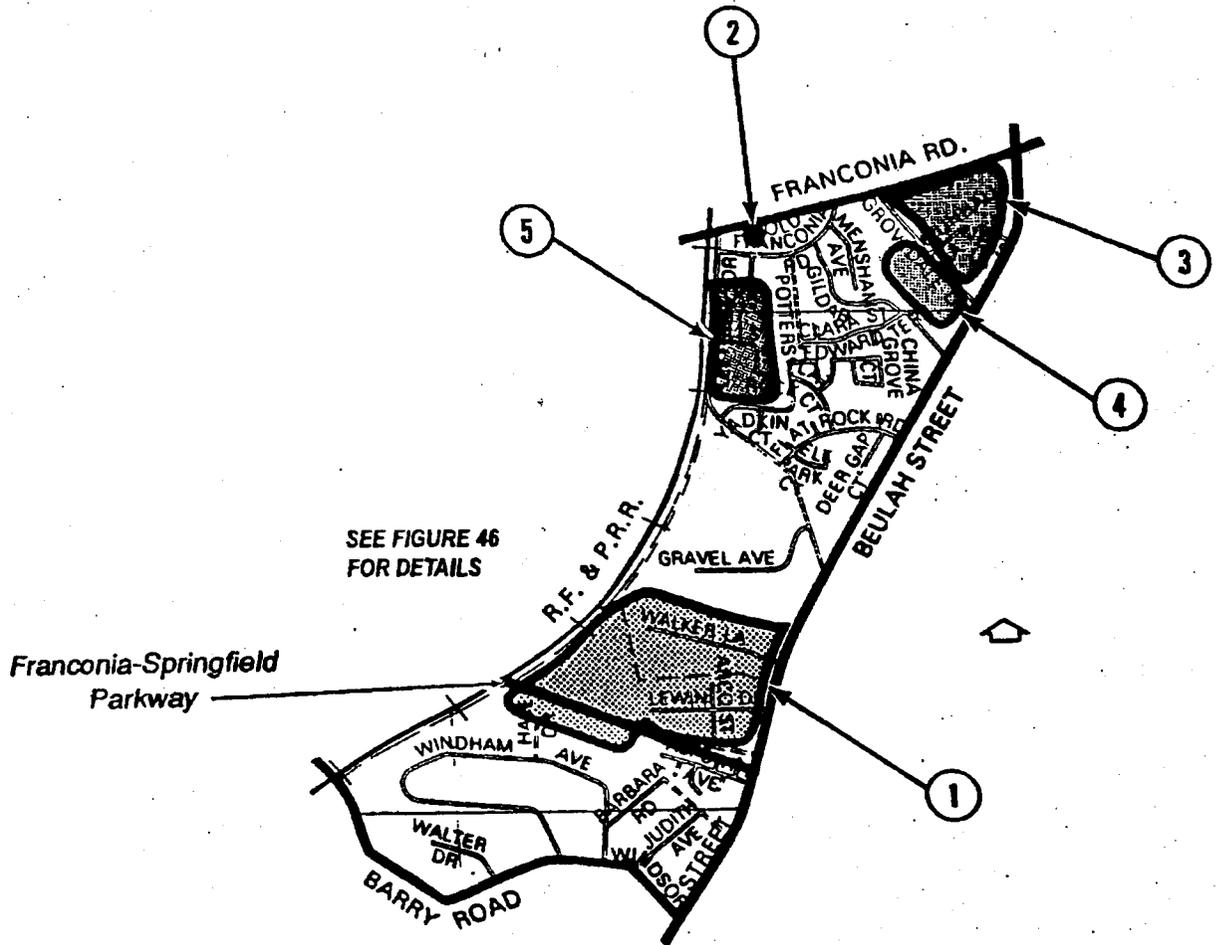
cc: Joseph Alexander, Supervisor, Lee District
Carl L. Sell, Jr., Planning Commissioner, Lee District
Jane W. Gwinn, Zoning Administrator
Edward J. Jankiewicz, Director, Design Review Division, DEM
Michael Knapp, Urban Forestry Branch, DEM
Bonds and Agreements Branch, DRD, DEM
File: RZ 90-L-055

Land Use/Design

- The development features a coordinated plan under a single application or concurrent applications which provides for high quality and coordinated architecture, streetscape treatment, and signage; efficient, internal vehicular circulation; efficient vehicular access; and usable open space such as urban parks and/or plazas;
- The development demonstrates transit orientation by locating buildings close to the Joe Alexander Transportation Center, by minimizing front yard setbacks along the internal roadway system, and by providing a pedestrian circulation system that interconnects buildings, parking lots and bus shelters, and provides a pedestrian link to the Franconia-Springfield Parkway trail;
- Building height is a maximum of 12 stories, tapering down to a maximum of approximately 60 feet for structures set back 150 feet from Beulah Street and a maximum of 40 feet for structures closer than 150 feet to Beulah Street;
- Retail uses are limited to support uses, such as dry cleaners and restaurants, that are functionally integrated within other buildings;
- The portion of Land Unit A located south of the Franconia-Springfield Parkway is dedicated to the County for open space. The development potential may be transferred to the area north of the Parkway;
- Until such time as Land Unit C redevelops with non-residential uses, a minimum 25-foot vegetated buffer and a 7-foot brick wall are provided to assist in creating a transition to the existing residential community. The buffer should contain evergreen trees to provide year round screening. See additional text under "Transportation/Access" for guidance pertaining to the possible conversion of the buffer to a road under certain conditions;
- Parking structures are well landscaped with trees and shrubs in order to provide a buffer to the surrounding office and hotel uses and Lewin Park;
- The existing family cemetery should be preserved and access provided;
- Site lighting is located, directed, and designed to reduce glare and minimize impact onto the adjacent residential property;

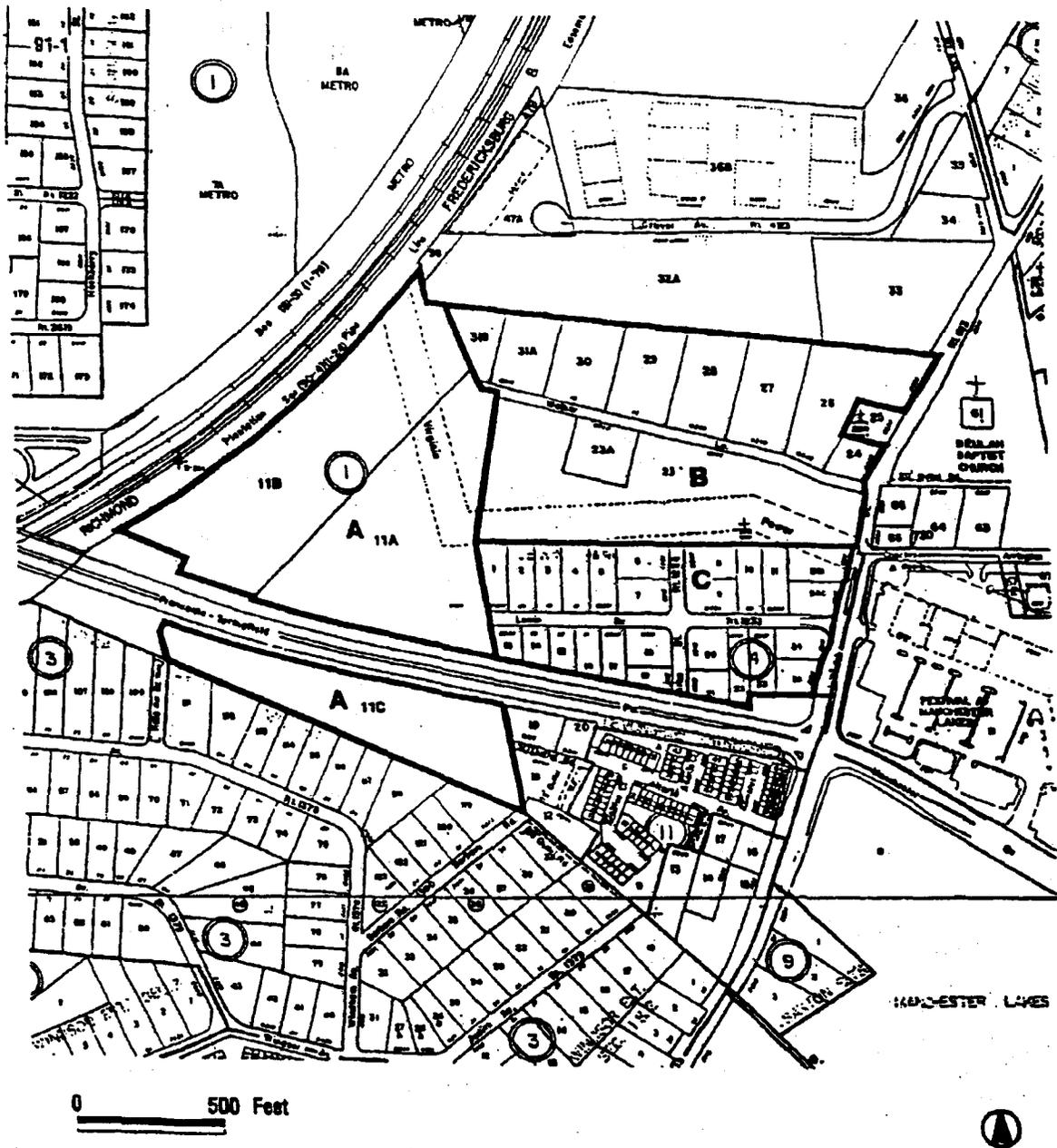
Transportation/Access

- Access from the Parkway for emergency vehicles associated with an urgent care facility and a shuttle bus linking the Metro Station, and a right-in/right-out vehicular connection from Land Unit A to the Parkway may be appropriate provided that such are approved by the Commonwealth Transportation Board and reviewed by the Fairfax County Department of Transportation;
- Shuttle bus service and pedestrian access are provided to the Joe Alexander Transportation Center with the initial phase of development;



LAND USE RECOMMENDATIONS
GENERAL LOCATOR MAP

FIGURE 45



WALKER LANE/LEWIN PARK AREA
S9 BEULAH COMMUNITY PLANNING SECTOR

FIGURE 46

- Provision should be made to accommodate a future connection for pedestrian and shuttle bus access to the Joe Alexander Transportation Center from a point within Land Unit A via a bridge over the CSX and Metrorail tracks;
- To encourage transit use, the amount of parking should be minimized to the extent feasible;
- Access is provided from Land Unit C through Land Unit B to Beulah Street;
- If Land Unit C has redeveloped for non-residential use, a road to serve the redeveloped area should be provided in lieu of the 25-foot buffer, which is planned to be located north of Land Unit C. However, in the event that 760,000 gross square feet of the approved development in Land Units A (excluding Parcel 11A) and B occur prior to the redevelopment of Land Unit C, this road should be constructed along the northern edge of the 25-foot buffer and the buffer area preserved; and
- A Transportation Demand Management Program (TDM) is put in place which encourages the use of the Joe Alexander Transportation Center as an alternative to single occupant vehicle commuting.

LAND UNIT C

The Lewin Park community is planned for residential use at 1-2 dwelling units per acre. Land Unit A, to the west, is planned for residential use with an option for office use, while Land Unit B, to the north, is recommended for residential use with office uses as an option. If the optional uses for Land Unit B are approved through a rezoning, then office, hotel, and support retail uses at up to .55 FAR may be appropriate for Land Unit C if the following conditions are satisfied:

- The parcels in the land unit are substantially and logically consolidated;
 - The Guidelines for Neighborhood Redevelopment as provided in the Policy Plan are met; and
 - Right-of-way is dedicated for the planned Beulah Street/Franconia-Springfield Parkway interchange.
2. Low-rise office development up to .35 FAR is planned for the vacant parcels between old and new Franconia Roads, immediately east of the CSX Railroad right-of-way, with buffering to the new roadway and access from Old Franconia Road.
 3. Within the Franconia Road, Beulah Street, and Grovedale Drive triangle, the area located south and west of both the Franconia Fire Station and the Franconia Government Center is planned for low intensity office use. Neighborhood-serving retail use up to .25 FAR is planned along Franconia Road. In order to develop either office or retail uses in the area, the following conditions should be met:
 - Substantial parcel consolidation and a coordinated development plan that reflects a superior site layout and architectural design should be an element of any development proposal;

- The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street;
- A field survey should be conducted prior to final design plans and, if significant historic resources are found, appropriate preservation measures should be incorporated into the design phase;
- Development should be designed to retain as many of the indigenous hardwood trees as possible. Pedestrian-oriented open space areas, such as an easily accessible urban park, should be incorporated as an element of the development plan; and
- Roadway improvements necessary to ensure an acceptable level of service within the area affected by the development should be provided. The design of the internal circulation pattern and the location of related access points should be planned to minimize the traffic impact on the adjacent residential area.

Parcel 81-3((5))13 on Grovedale Drive, may also be appropriate for retail use up to .25 FAR.

4. Transitional low-rise or townhouse-style office use up to .35 FAR is planned for Tax Map 81-3((05))9, 10, 10A, ((34)), and ((38)) along Grovedale Drive provided the following conditions are met:
 - Substantial consolidation of the parcels to effect a coordinated, attractive and well-designed development. Such development should be designed to be compatible with the surrounding residential community and no direct access should be provided to Beulah Street; and
 - Landscaped screening should be provided in the buffer zone for those properties surrounding the subject property. This includes the Georgetown Woods townhouse development on Gildar Street and the low density neighborhood across Beulah Street. The landscaped screening should contain an effective mixture of shrubs and trees together with a fence of at least six feet in height between the planned office and existing townhouse development. Such fence should be placed on the inside edge of the buffer zone.
5. Development in the Shirley Park neighborhood should be in accordance with the recommendations cited in the Shirley Park Community Improvement Plan.

The portion of the Shirley Park neighborhood located between Wills Street and the Franconia Commons townhouses (Tax Map 91-1((1))41 and 41A) is planned for single-family, residential use at 3-4 dwelling units per acre. In order to develop above the low end of the density range, the following conditions should be met:

- A coordinated development should be oriented toward the Shirley Park community;
- To reduce additional access points along Fleet Drive, the roadway connecting to the site should be via Wills Street (see Figure 48);

- Every effort should be made to preserve existing stands of trees. In particular, vegetative cover located in the vicinity of the adjacent Franconia Commons townhouses should be retained for buffer purposes; and
- Measures to mitigate traffic and railroad related noise should be implemented in conjunction with development of this site.

As an option to residential development, the heavily wooded southern portion of the Shirley Park Area planned for residential use at 3-4 dwelling units per acre (Tax Map 91-1((1))41 and 41A) is considered appropriate for passive recreation and private open space uses. If this option is implemented, the preservation of quality vegetative cover should be assured through the execution of an appropriate protective easement.

Transportation

Transportation recommendations for this sector are shown on Figures 47 and 48. In some instances, site-specific transportation recommendations are included in the land use recommendations section. The figures show access orientation, circulation plans, interchange impact areas and generalized locations of proposed transit facilities. The recommendations contained in the Area Plan text and maps, the Policy Plan and Transportation Plan map, policies and requirements in the Public Facilities Manual, the Zoning Ordinance, and other standards will be utilized in the evaluation of development proposals.

Heritage Resources

The Laurel Grove Baptist Church, located northwest of the junction of Walker Lane with Beulah Street, should be evaluated for possible inclusion on Fairfax County's Inventory of Historic Sites.

Parks and Recreation

Parks and recreation recommendations for this sector are shown on Figure 49. The column "Park Classification" includes existing park facilities. The "Recommendations" column includes entries for both existing and proposed facilities. Prior to developing parkland, the Fairfax County Park Authority initiates a master planning process to determine the appropriate facilities and design for that park. This process involves extensive citizen review and participation. If an existing park is listed but no recommendation appears on that line, it means the park has been developed in accordance with its master plan.

Trails

Trails planned for this sector are delineated on Figure 50 and on the 1":4,000' Countywide Trails Plan Map which is referenced as Figure 2 in the Transportation element of the Policy Plan and is available at the Maps and Publications Sales Desk. Trails in this sector are an integral part of the overall County system. While some of the segments have already been constructed, the Countywide Trails Plan Map portrays the ultimate system for the sector and the County at large. In addition, the map specifies a classification for each segment, which represents the desired ultimate function and surface type of the trail. Specific construction requirements are detailed in the Public Facilities Manual.



County of Fairfax, Virginia

MEMORANDUM

DATE: November 1, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PSN*
Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: PCA 90-L-055, Beulah Street II, LLC

This memorandum, prepared by John R. Bell, discusses potential impacts that may result from the proposed development as depicted on the proffered condition amendment plan dated October 1, 2007. Possible solutions to remedy identified impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 5 through 7, the Plan states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County....

Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/

the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.

Proposals that include the use or storage of hazardous materials should provide adequate containment facilities, monitoring, and spill prevention strategies to protect surface and groundwater resources consistent with State regulations.

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed.

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site

sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA.

Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 14, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Stormwater Management

Issue:

The subject property is currently developed with a single office building and surface parking. The applicants are proposing to add a second office building and surface parking to the site based on a modification of previous approvals, which would have permitted townhouse-style offices. An existing infiltration trench serves the site and is proposed to serve the site with the planned additional office building and surface parking. Staff had raised some concerns regarding the adequacy of the existing infiltration trench to provide stormwater management for the entire site as proposed.

Resolution:

The latest plans provided some additional information regarding the existing facilities. However, it is still unclear if this existing facility will be sufficient to meet the needs for the site with the additional impervious surface areas to be added. Any final determination regarding stormwater management for the site will be made by staff in the Department of Public Works and Environmental Services (DPWES).

Tree Preservation

Issue:

The northern portion of the site has a number of trees noted to be saved as part of the proposed site development. These efforts are supported by staff, but should be done in a manner which will adequately protect these trees to ensure their long-term viability. Staff remains concerned about the apparent lack of screening to adjacent residential properties to the west. It appears that there may be opportunities to supplement existing plantings in this area to improve screening to adjacent residential lots.

Resolution:

Staff recommends that the applicants provide additional plantings in these areas and provide protection for existing trees to be retained. The applicants should coordinate their tree preservation and landscaping efforts with the Urban Forestry Management Branch in DPWES.

Trails

In accordance with the Countywide Trails Plan and the Public Facilities Manual, the applicant should provide an 8-foot wide trail within a 12-foot easement or a 10-foot wide trails within the VDOT right-of-way along the site's Beulah Street frontage. A 5-foot wide sidewalk exists along the frontage of the property and an on-road bike lane exists within the right-of-way for Beulah Street.

PGN:JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: October 22, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM:  Jeremiah Stonefield, Chief Stormwater Engineer
Site Review East, Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffer Condition Amendment Application, PCA 90-L-055, Generalized Development Plan for Beulah Street Property, dated May 30, 2007 (GDP), Tax Map #081-3-05-0017-C and 0017-D (Site), Lee District

We have reviewed the referenced submission and offer the following comments:

Chesapeake Bay Preservation Ordinance

There are no Resource Protection Areas (RPA) designated on the Site.

The applicant states the proposed improvements are considered 'development' under the CBPO, and a minimum of 40% phosphorous removal is required. For Information Only copies of the design of the existing infiltration trench on the developed southern portion of the site was sized to provide water quality controls for the entire site. The applicant has indicated that 40% phosphorous removal will be provided for the revised layout using the existing facility.

Floodplain

There are no regulated floodplains on the Site.

Downstream Drainage Complaints

There are no relevant downstream complaints on file within the extent of review of the outfall for this Site.

Stormwater Detention

For Information Only copies of the design indicated that the existing infiltration trench on the developed southern portion of the site was sized to provide water quantity controls for the entire site. The applicant has indicated the existing detention facility will be adequate for the revised layout.



Site Outfall

The description of the conditions of the outfall must be provided downstream to a point where the drainage area is at least 100 times the site area or at least one square mile. This requirement of Zoning Ordinance Section 16-502 requires more information than the minimum adequate outfall analysis requirements of the Public Facilities Manual (PFM). The applicant only provides information based on the extent of downstream review as described in the PFM.

Additional comments

The proposed landscape plan on Sheet 6 shows vegetation over or close to the proposed storm sewer system. The vegetation should be moved or the storm sewer realigned to resolve the potential conflict between the roots and the pipes.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Valerie Tucker, Chief Stormwater Engineer, Site Review East, DPWES
Zoning Application file (8758-ZONA-001-2)

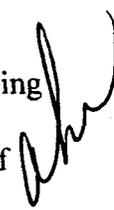


County of Fairfax, Virginia

MEMORANDUM

DATE: October 10, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief 
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 90-L-055)

SUBJECT: Transportation Impact

REFERENCE: PCA 90-L-055, Beulah Street II, LLC
Traffic Zone: 1486
Land Identification: 81-3 ((5)) 17C, 17D

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated April 26, 2007, and revised through October 1, 2007. The applicant requests a proffered condition amendment to permit construction of a single, three (3) story office building on Parcel 17D in lieu of the four (4) approved townhouse style office buildings illustrated on the GDP. The proposed building will contain 38,283 GSF, a reduction from 39,196 GSF currently allowed, which results in an FAR of 0.34. The total number of parking spaces provided will be reduced from the 317 spaces permitted by the approved GDP to 307 spaces.

The Transit Operations Division of the Department of Transportation has requested that a bus shelter be provided on Beulah Street approximately 40 feet northeast of the entrance to the parking lot.

VDOT has requested that the need for a right turn lane at this entrance be addressed because it is a right turn in/right turn out only. The addition of another office building on site will increase the traffic using this entrance.

AKR/LAH/lah

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



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

July 27, 2007

Ms. Barbara A. Byron
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: PCA 90-L-055, Beulah Street Property
Tax Map No.: 081-3 /05//0017C /05/ /0017D

Dear Ms. Byron,

This office has reviewed the proffered condition amendment plan relative to proffered condition amendment application 90-L-055 and offers the following comments.

The existing entrance along Beulah Street is restricted to right turn in/right turn out. The applicant should address the need to construct a right turn lane at this entrance.

For additional information please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM



TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager
Park Planning Branch *SS*

DATE: July 14, 2007

SUBJECT: PCA 90-L-055, Beulah Street II, LLC
Tax Map Number(s): 81-3 ((5)) 17C and 17D

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated May 30, 2007, for the above referenced application. The Development Plan shows one existing office building on parcel 17C and a proposed office building to be built on parcel 17D. The new building will add 38,283 gross square feet of commercial space at the 5-acre site. The applicant is seeking the Proffered Condition Amendment to permit the construction of a single three story office building in lieu of the four townhouse style office buildings shown in the General Development Plan.

COMPREHENSIVE PLAN CITATIONS

1. Park and Recreation Needs (Comprehensive Plan, Area IV, Springfield Planning District, Overview, Parks and Recreation, p. 14)

“Although the Springfield Planning District is generally well served by existing parklands and facilities, anticipated changes in land use will generate increased needs for both active recreation opportunities and preservation of open space. Fortunately, the potential exists to enhance both the quality and quantity of park and recreation resources in this planning district.

With the exception of the S5, S7 and S9 Sectors, Neighborhood and Community Parks are well distributed. Neighborhood Park facilities should be provided in conjunction with new residential development, and Urban Parks should be included in the revitalization of the Springfield Community Business Center and development within the Franconia-Springfield Transit Station Area.”

2. Comprehensive Plan Development Conditions (Area IV, Springfield Planning District, S9-Beulah Community Planning Sector, pp. 95-96)

“Within the Franconia Road, Beulah Street, and Grovedale Drive triangle, the area located south and west of both the Franconia Fire Station and the Franconia Government Center is planned for low intensity office use. Neighborhood-serving retail use up to .25 FAR is planned along Franconia Road. In order to develop either office or retail uses in the area, the following conditions should be met:

- Substantial parcel consolidation and a coordinated development plan that reflects a superior site layout and architectural design should be an element of any development proposal;
- The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street;
- A field survey should be conducted prior to final design plans and, if significant historic resources are found, appropriate preservation measures should be incorporated into the design phase;
- Development should be designed to retain as many of the indigenous hardwood trees as possible. Pedestrian-oriented open space areas, such as an easily accessible urban park, should be incorporated as an element of the development plan; and
- Roadway improvements necessary to ensure an acceptable level of service within the area affected by the development should be provided. The design of the internal circulation pattern and the location of related access points should be planned to minimize the traffic impact on the adjacent residential area.”

3. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)

“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

4. Heritage Resources (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)

“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”

5. Heritage Resources (Area IV, Springfield Planning District, Overview, Heritage Resources, p.10)

“Potentially important prehistoric archaeological sites have been located throughout the Accotink Creek and Long Branch Stream Valleys. Some of these sites may be buried in stream terraces and

are thus well preserved. There are indications that some of these sites may also be among the oldest in the County. Historic resources are located throughout the district, and additional resources may yet remain in undeveloped areas and some may exist within developed areas.”

ANALYSIS AND RECOMMENDATIONS

Park Needs Assessment Analysis:

Currently, there are 23 parks located in the Springfield Planning District. The site of the proposed development is located in the Beulah Community Planning Sector which has no local parks. There is a need for all types of parkland and recreational facilities in this area but available open space for parks is disappearing. The existing nearby parks (Franconia Forest, Manchester Lakes, Springfield Forest, and Tara Village) meet only a portion of the demand for parkland in the Springfield Planning District.

Onsite Facilities:

The Comprehensive Plan recommendations for the area enclosed within Franconia Road, Beulah Street, and Grovedale Drive specifically state that development should provide “pedestrian-oriented open space, such as an easily accessible urban park.” The proposed development plan shows open space that could be utilized as a park, but it is not clear from the plan how the open space will be used. On Sheet 2, Note #17 states that two picnic areas with tables and benches will be included in the development and that the “approximate location of these amenities are reflected in the plan.” The location of those amenities, however, is not shown in the plan. In addition, the plan does not indicate if the open space and amenities will be accessible to workers in the neighboring office buildings as well as residents in the nearby neighborhoods. The current development plan should be redesigned to satisfy the development conditions of the Comprehensive Plan for this area.

A small park in this development that can be accessed by the public will provide a respite for visitors and employees in the office complex as well as for residents in the nearby neighborhoods. The Park Authority recommends redesigning the layout of the building and parking lot to increase the open space between the office building and the Franconia Fire Department property. Invasive plants should be removed, the area landscaped with additional trees and plants, and benches and picnic tables installed to create an attractive park setting. The applicant should also consider building a trail that connects with the sidewalk along Beulah Street to adjacent properties to support pedestrian access and circulation. Finally, the applicant should proffer to place a public access easement on this park area.

Cultural Resources Impact:

Park Authority Cultural Resource and Protection Section (CRMPS) staff conducted an archival review of the parcel. The review indicated that the undeveloped, northern half the property is the location of the pre-World War II, "Levin Construction Corp." business. One building on the property has a Virginia Department of Historic Resources architectural survey registration (DHR Id#: 029-0351), which dates to ca. 1930. As such, the property also has a moderate potential for significant industrial archaeological features.

The Park Authority recommends that the northern half of the property be subjected to a Phase II archaeological study. If the above registered building is still standing, architectural assessments should be conducted using scopes of work provided by the CRMPS. If the site or any features are determined to be significant then either they should be avoided or a Phase III data recovery should be performed in accordance with a scope provided by the CRMPS. Any Phase III scope will provide for public interpretation of the results.

The Park Authority requests that the applicant provide one copy of the Phase II archaeology report to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study or survey. Should significant archaeological resources be discovered, the Park Authority requests that further archaeological studies be conducted and copies of the reports provided to CRMPS. Draft and final archaeological reports, field notes, photographs and artifacts produced as a result of Phase II and/or III studies should be submitted for approval to the CRMPS within 30 days.

The applicant should also be made aware that there are specific archaeological requirements under Section 106 of the National Historic Preservation Act, which are associated with Federal licensed or funded development. If Section 106 applies then any archaeological work under this recommendation should also be coordinated in advance with the Virginia State Historic Preservation Officer (SHPO).

SUMMARY OF RECOMMENDATIONS

- Redesign the plan layout to provide a landscaped, publicly accessible park at the north side of the site. Within the park area build a trail from the sidewalk along Beulah Street to one of the adjacent County owned properties to provide residents with a connection to local businesses.
- Conduct a Phase II archaeological study and possible further archaeological studies as recommended above.

cc: Cindy Walsh, Acting Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section



County of Fairfax, Virginia

MEMORANDUM

DATE: June 20, 2007

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dulaney (246-3868)
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment PCA 90-L-055

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and
Serving Our Community

Fire and Rescue Department
4100 Chain Bridge Road
Fairfax, VA 22030
703-246-2126
www.fairfaxcounty.gov





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

June 20, 2007

Ms. Barbara A. Byron, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: PCA 90-L-055
Beulah Street Property

Dear Ms. Byron:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 8-inch water main located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm, with comments pertaining to the proposed water system layout.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.
4. Due to the limited detail of these plans, Fairfax Water will provide comprehensive comments regarding water facilities design upon submittal of final site plan.

If you have any questions regarding this information please contact Samantha Kearney at (703) 289-6313.

Sincerely,

A handwritten signature in black ink that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning

4-200 C-2 LIMITED OFFICE DISTRICT

4-206 Lot Size Requirements

1. Minimum lot area: 20,000 sq. ft.
2. Minimum lot width: 100 feet
3. The minimum lot size requirements presented in Par. 1 and 2 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

4-207 Bulk Regulations

1. Maximum building height: 40 feet
2. Minimum yard requirements
 - A. Front yard: Controlled by a 30° angle of bulk plane, but not less than 25 feet
 - B. Side yard: No Requirement
 - C. Rear yard: 25 feet
3. Maximum floor area ratio: 0.50
4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

4-208 Open Space

30% of the gross area shall be landscaped open space

4-209 Additional Regulations

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

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		