



APPLICATION ACCEPTED: September 26, 2008
PLANNING COMMISSION: March 26, 2009
BOARD OF SUPERVISORS: March 30, 2009

County of Fairfax, Virginia

March 11, 2009

CRD

STAFF REPORT

APPLICATION PCA C-491-02

DRANESVILLE DISTRICT

APPLICANT: T&M McLean Venture, LLC

PRESENT ZONING: C-2, SC, CRD

PARCEL: 30-2 ((1)) 23

ACREAGE: 4.43 acres

PLAN MAP: Office

PROPOSAL: Amend the previously approved proffers associated with RZ C-491 in order to allow site modifications to include relocation of existing vehicular access point and partial removal of wall along Chain Bridge Road.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 491-2 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification to the transitional screening requirements where this property is adjacent to single family detached dwellings in favor of what is shown on the Generalized Development Plan.

Suzanne Lin

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/



Staff recommends that the parking requirement in a Commercial Revitalization District be reduced by up to 4% as generally depicted on the GDP.

Staff further recommends approval of a waiver of the on-road bike lane along the Chain Bridge Road frontage.

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

O:\slin00\PCA\PCA c-491-2 T&M Mclean Ventures\Staff Report and Cover Sheet\Report Cover.doc



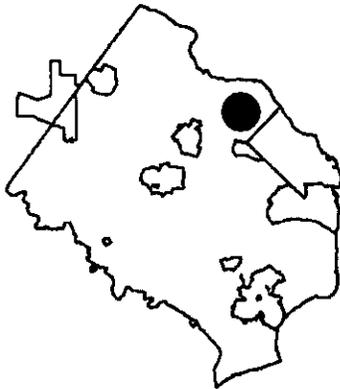
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA -C-491-02

Applicant:
Accepted:
Proposed:

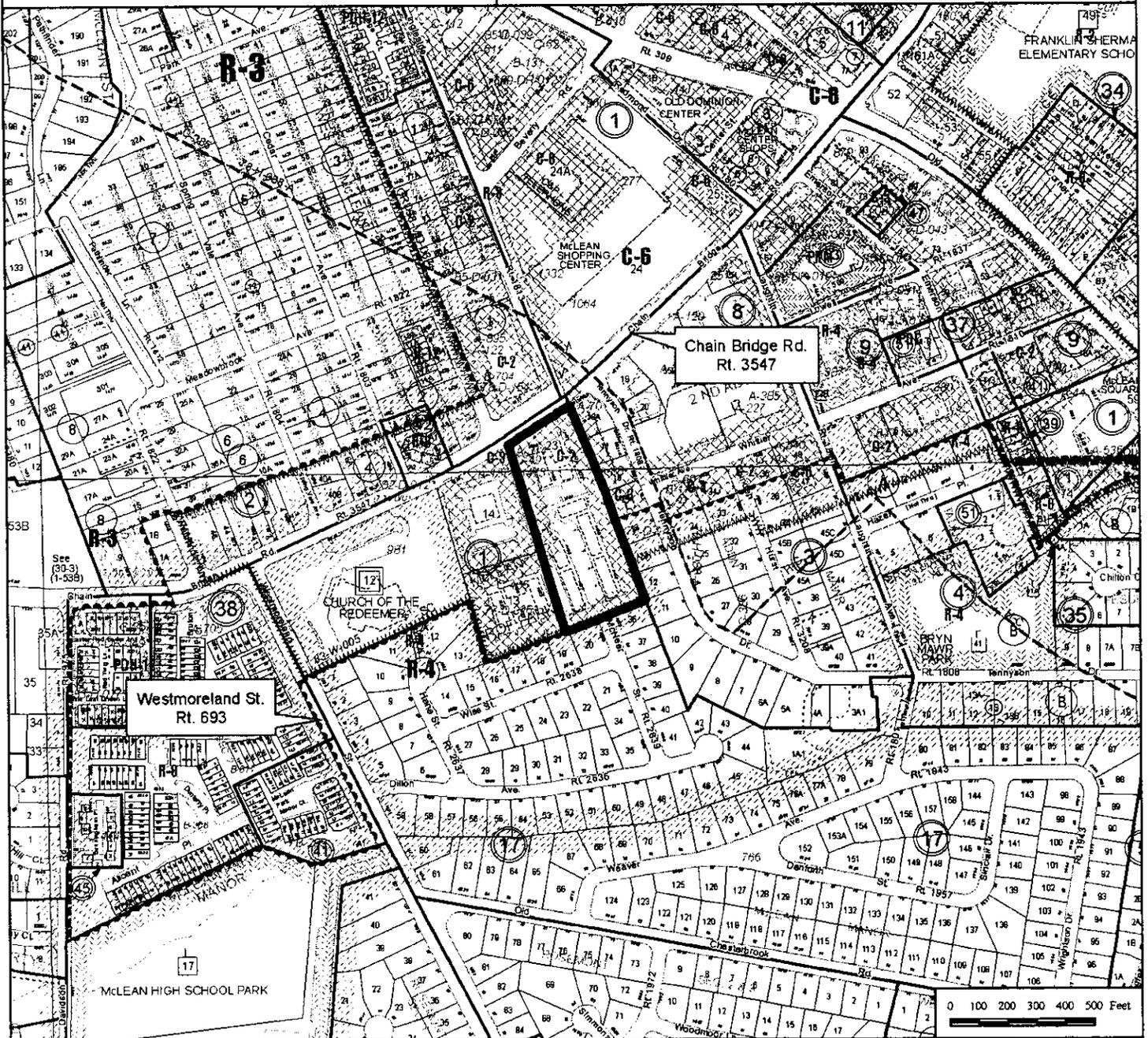
T&M MCLEAN VENTURE LLC
09/26/2008
AMEND RZ C-491 PREVIOUSLY APPROVED FOR
COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS



Area: 4.43 AC OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect:
Located: SOUTH SIDE OF CHAIN BRIDGE ROAD
APPROXIMATELY 800 FEET EAST OF ITS
INTERSECTION WITH WESTMORELAND STREET

Zoning: C-2
Overlay Dist: CRD SC
Map Ref Num: 030-2- /01/ /0023

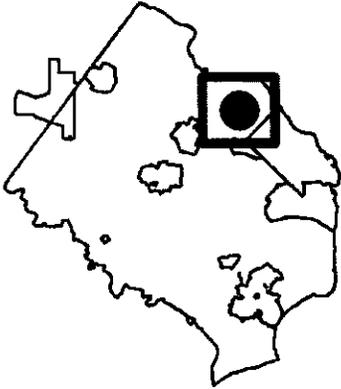


Proffered Condition Amendment

PCA -C -491-02

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Proposed:

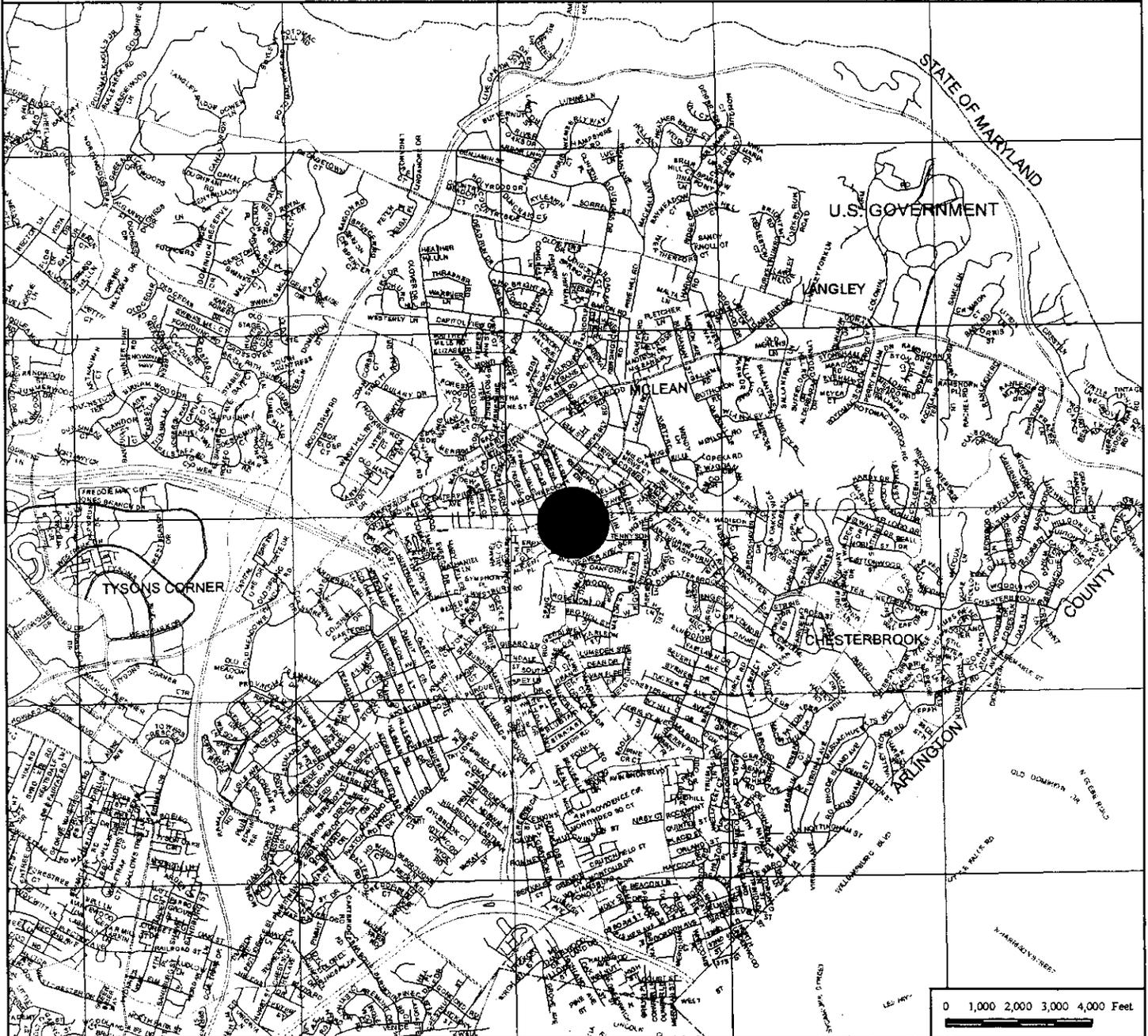
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Zoning: C-2
Overlay Dist: CRD SC
Map Ref Num: 030-2- /01/ /0023



0 1,000 2,000 3,000 4,000 Feet

NOTES:
 THE PROPOSED STIPING IS SUBJECT TO REVIEW AND APPROVAL BY WOT.
 THE PROPOSED STIPING SHALL GENERALLY COMPLY WITH THE
 MICHIGAN CENTRAL BUSINESS CENTER OPEN SPACE DESIGN STANDARDS, AS
 SHOWN IN THE COMPANION PLAN.

PROPOSED NORTH (D.B. 18257, P.C. 860)

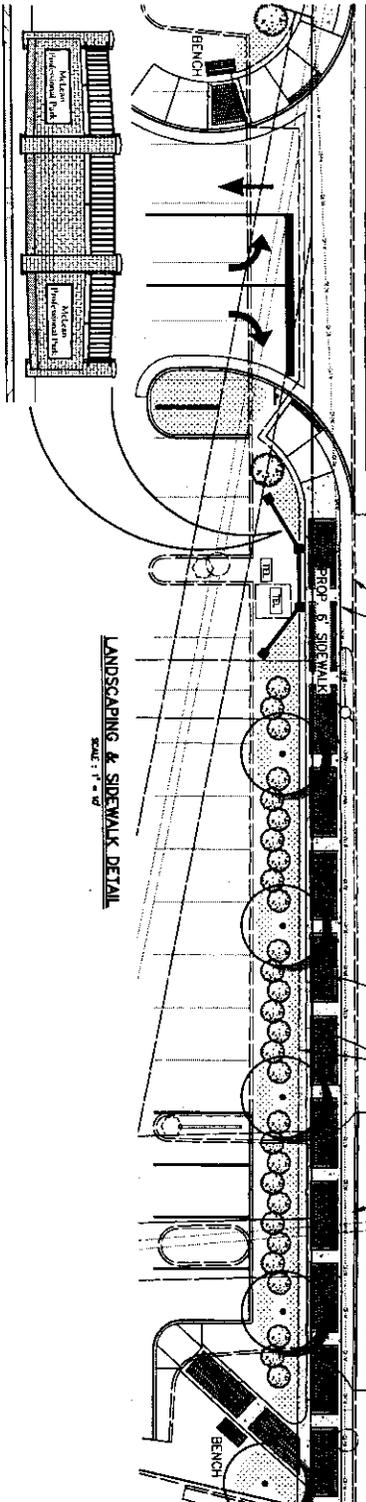
BRICK WALL

BUENA VISTA AVE.
 ROUTE #1802

CHAIN BRIDGE ROAD - ROUTE #3547
 (VARIABLE WIDTH)
 TO BE OPEN TO TRAFFIC
 TO BE OPEN TO TRAFFIC

INGLESIDE AVE.
 ROUTE #1813

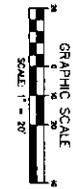
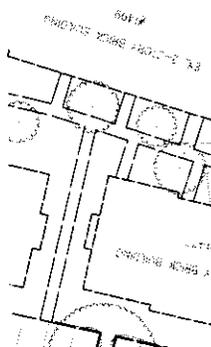
TENNYSON DRIVE - RTE. #1808



PROP. 2' GRASS STRIP

BRICK PAVERS (TOP)

EX. ENTRANCE
 TO BE CLOSED
 PROP. PUBLIC
 ACCESS EASEMENT



LEGEND

- LANDSCAPING IS CONCEPTUAL IN NATURE. FINAL LOCATION AND SPECIES ARE TO BE DETERMINED AT FINAL SITE PLAN.
- EXISTING UTILITY LINE & POLE
- EX. STORM DRAIN
- SHADE TREE (7' CAL.)
- WELL (CONCRETE SHAFT)
- SHIMMERPOOL/PERMEABLE/PALS
- LANDS OF CLADDING & SHADING
- EXISTING TREELINE
- EXISTING UTILITY LINE & POLE
- EX. STORM DRAIN
- SHADE TREE (7' CAL.)
- WELL (CONCRETE SHAFT)
- SHIMMERPOOL/PERMEABLE/PALS



GENERALIZED DEVELOPMENT PLAN AMENDMENT
McLEAN PROFESSIONAL PARK

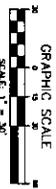
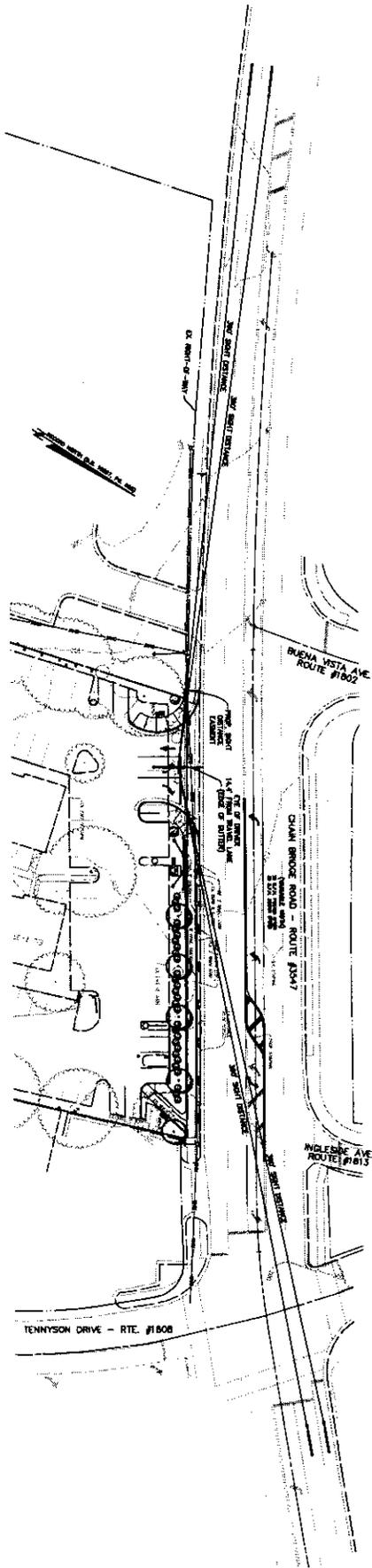
DRANESVILLE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



CPJ Charles P. Johnson & Associates, Inc.
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 3000 FRODO DRIVE SUITE 200 FAIRFAX, VIRGINIA 22031 (703)887-7500
 10000 WOODBURN RD SUITE 100 FALLS CHURCH, VA 22034 (703)887-8800

NO.	DATE	DESCRIPTION	BY	APPROVED BY
1	11/14/2008	DESIGN	PAUL S. JOHNSON	
2	11/14/2008	REVISED	PAUL S. JOHNSON	
3	11/14/2008	REVISED	PAUL S. JOHNSON	
4	11/14/2008	REVISED	PAUL S. JOHNSON	
5	11/14/2008	REVISED	PAUL S. JOHNSON	

DATE: 11/14/2008 11:47 AM SHEET: N:\DRANESVILLE\DRANESVILLE\DRANESVILLE.DWG



Last Saved 2/9/2008 Last Printed 2/9/2008 11:25 AM Sheet No. 001/001/001-001

DESIGN	DRY
KJV	KJV
APPROVED	
DATE	
SEP 1, 2008	
SCALE	
HORIZ: 1" = 30'	
VERT: 1" = 10'	

NO.	DESCRIPTION	REVISIONS	DATE



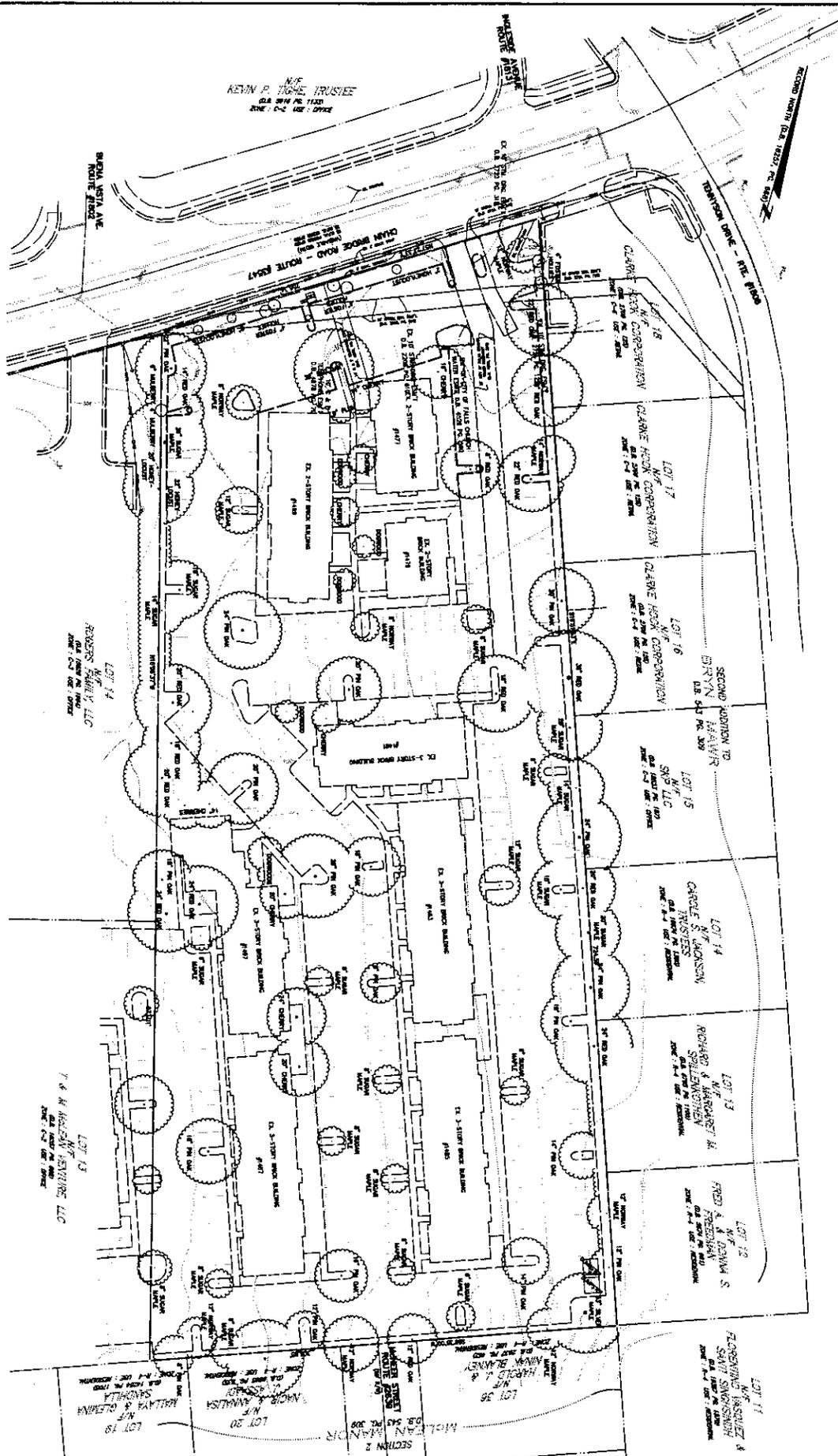
SIGHT DISTANCE PLAN
McLEAN PROFESSIONAL PARK
 DRANESVILLE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

1 2-18 2 1-28 3 1-28	1 2-18 2 1-28 3 1-28
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1 2-18 APPROVE PERMIT TO CONSTRUCTION & LANDSCAPE PLAN
 2 1-28 REVISIONS: DESIGN, PRELIMINARY DESIGN, AND FUTURE EXIST ROAD
 3 1-28 REVISION: DESIGN, PRELIMINARY DESIGN, AND FUTURE EXIST ROAD

CPJ Charles P. Johnson & Associates, Inc.
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 2500 RIDGE DRIVE SUITE 210 FORTAL, VIRGINIA 22030 (703) 288-7500
 SILVER SPRING, MD FAX (703) 973-8546

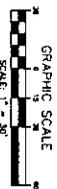
TREE LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN FIELD-SURVEYED



COVER TYPE SUMMARY

COVER TYPE	PERCENTAGE	COND. NO.	AREA/AC
Open Area	70.0%	1	4.43
Grass	20.0%	2	1.13
Other	10.0%	3	0.44
TOTAL AREA			6.00

COND. NO. 1 = 100% COVER
COND. NO. 2 = 75% COVER
COND. NO. 3 = 50% COVER



Scale: 1" = 30'

McLEAN PROFESSIONAL PARK

DRANESVILLE DISTRICT
FAIRFAX COUNTY, VIRGINIA



CPJ Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS ARCHITECTS SURVEYORS
2000 POND CREEK BLVD. 2ND FLOOR, VIRGINIA BEACH, VA 23462-7446
919.436.7446 FAX 919.436.7446

NO.	DATE	DESCRIPTION
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3	01/10/01	REVISED
4	02/15/01	REVISED
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303	01/15/26	REVISED
304	02	

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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicants, T&M McLean Venture, LLC seek to amend the proffers previously approved for the subject site with RZ C-491 and PCA C-491. The applicant proposes to modify the proffers for the existing Mclean Professional Park, a low-rise office park along Chain Bridge Road in McLean. Specifically, the approved proffers require a six foot high wall—either as a six foot high solid brick wall or as a four-foot high brick wall, with a two-foot high wrought iron railing on top to surround the entire development, including the Chain Bridge Road frontage. The applicant recently removed the majority of the brick wall along the site's frontage and replaced it with a landscaping strip composed mostly of shrubs, groundcover and seasonal plantings. (A small portion of the brick wall remains along Chain Bridge Road to buffer the existing utilities located on the property). The applicant proposes to modify the proffers so that this part of the wall does not have to be replaced and to make certain that the proffers reflect the current conditions on the site. Another proffer limits vehicular access to one point on Chain Bridge Road. The applicant proposes to close the existing access point and establish a new entrance in another location along the frontage of the site. There would continue to be no more than one vehicular access point into the site. This application would not increase the floor area ratio (FAR) as approved and existing at this time.



The applicant's draft proffers, affidavit, and Statement of Justification are contained in Appendices 1-3, respectively.

LOCATION AND CHARACTER

Site Description:

The subject application consists of Tax Map Parcel 30-2 ((1)) 23 and is part of the McLean Professional Park, an existing low-rise office park located on Chain Bridge Road in McLean. The parcel contains 4.43 acres with 8 existing 2-story office buildings. McLean Professional Park also includes Tax Map Parcel 30-2 ((1)) 13; however, that parcel is not a part of this application as it was approved under a different rezoning case (RZ 77-D-026).



Figure 1 Approximate location of the affected portion of McLean Professional Park

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Recreation (McLean Tennis Club)	C-2	Park
South	Single-family detached residential (McLean Manor)	R-4	Residential; 2-3 du/ac
East	Single-family detached residential (Second Bryn Mawr) Commercial	R-4 & C-3	Retail and Other
West	Office (McLean Medical Building & McLean Professional Park)	C-3	Office

BACKGROUND (See Appendix 4)**Site History:**

On October 1, 1975, the Board of Supervisors approved RZ C-491, subject to the proffers dated October 1, 1975, to rezone 4.5523 acres from the R-10 District to the C-OL District, later designated as C-2 District. The rezoning established several proffer commitments, including a commitment that:

“A four-foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 above”

Site Plan #1388-SP-01-3, entitled “McLean Professional Park”, was approved on February 1, 1977, for the office development on this parcel. Under that site plan, 99,840 SF of gross floor area on 4.5506 acres was approved. The Floor Area Ratio (FAR) under this approved site plan was .50. A copy of the approved proffers and site layout is contained in Appendix 4 attached to the end of this report.

On July 17, 1978, the Board of Supervisors approved PCA C-491. That Proffered Condition Amendment (PCA) was also related to the proffered wall. Specifically, the applicant (the property owners at that time) sought to revise the proffers which had established the specific design of the wall and requested language that allowed the wall to be a six-foot high brick wall for a portion adjacent to Tax Map 30-4 ((3)) 016 along the northern property line. As staff noted at the time, the requested 6-foot high wall satisfied the barrier requirements of the Zoning Ordinance, and the PCA was subsequently approved. A copy of the staff report, applicant’s request and Board of Supervisors motions are attached in Appendix 4 to this report.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	II
Planning District:	McLean Planning District
Planning Sector:	McLean Community Business Center
Plan Map:	Office
Plan Text:	

In the Fairfax County Comprehensive Plan, 2007 Edition, Area II, McLean Planning District, McLean Community Business Center, as amended through August 6, 2007, pages 28 and 35, the Plan states:

“Areas of Minimum Change comprise the existing built up sectors of the CBC. Primarily recent construction, these areas are centered along the office corridor of upper Old Dominion Drive, Elm Street, and Beverly Road, and the large residential concentrations at the southeast and southwest CBC boundaries. These areas (i.e., Subareas 1, 2, 10, 15, 16, 20, 22, 25, 26, and 29) represent the concentration of new development which has occurred within McLean and which can be anticipated to remain for the foreseeable future. Although some new infill development may occur within these areas, essentially no change is expected. Any future development should follow the McLean CBC Design Standards. . . .”

Subarea #2: Chain Bridge Road, Tennyson Drive, CBC Line, and Westmoreland Street.

ANALYSIS

Title of GDP: Mclean Professional Park
Prepared By: Charles P. Johnson & Associates, Inc.
Original and Revision Dates. September 2008 as revised through February 6, 2009

McLean Professional Park.	
Sheet #	Description of Sheet
1 of 5	Cover Sheet, Vicinity Map, General Notes, Angle of Bulk Plane Diagrams, Stormwater Checklist
2 of 5	Existing Site Layout
3 of 5	Generalized Development Plan Amendment with Design Details for Chain Bridge Road Frontage
4 of 5	Sight Distance Plan
5 of 5	Existing Vegetation Map

Site Layout: The majority of this site is proposed to be maintained in its current form under this proposal. No changes are proposed to the eight low-rise office buildings in the center of the site or parking lots interspersed around the structures. In addition, no changes are proposed to the courtyard areas that separate several of the existing buildings.

The wall that was previously partially removed from the frontage along Chain Bridge Road is not proposed to be replaced per this application; however, the applicant does propose to slightly reconfigure that portion of wall which remains along the frontage so that it shields large utility boxes from the view of

Chain Bridge Road. The applicant proposes to maintain the four-foot brick and two-foot wrought iron style on this section of the wall that is proposed to remain, and will place permanent signage on sections of the wall.

Vehicular Access: The applicant proposes to move the driveway entrance along Chain Bridge Road from its current location near the northeastern property line, close to Tennyson Avenue, to a more western location closer to the adjacent medical office building.

Landscaping and Existing Vegetation: The applicant proposes new landscaping along the Chain Bridge Road frontage including a row of five 2-inch caliper shade trees placed at equal distances, supplemented by medium evergreen shrubs and groundcover/perennials and bulbs. In addition, there are two existing mature trees near the area of clearing and grading, a 12" diameter red maple in the northeast corner of the site and a 20" diameter pin oak in the northwest corner of the site which the applicant will attempt to preserve per the draft proffers.

Pedestrian Amenities: The applicant proposes a six-foot wide sidewalk, featuring brick pavers, along the frontage with a two-foot wide grass paving strip separating the sidewalk from the roadway. A note on Sheet 3 states that the streetscaping will generally comply with the Comprehensive Plan design standards for this area. The applicant further proposes to have two pedestrian ingress points, a sidewalk along the new entrance and a sidewalk near the northeast corner of the site. Benches are also proposed near the proposed ingress points.

Land Use Analysis (Appendix 5)

Floor Area Ratio

The application does not propose to increase the square footage of this existing development and staff notes that the 1977 site plan approved 99,840 square feet (SF) of gross floor area on a 4.55 acre site. The gross floor area remains 99,840 SF at this time; however, the acreage of the parcel now stands at 4.43 acres. It is unclear why the acreage of the site was reduced; however, staff does note that an area of dedication along Chain Bridge Road is shown on the approved site plan and as such, staff believes that the new acreage could be a result of such dedication. Nonetheless, while the FAR was .50 based on the acreage in 1977, the FAR is now .52, where the minimum FAR for this C-2 zoned property is .50. The applicant is in conformance with the site plan approved in 1977 and staff has determined that, as long as there is no further square footage proposed this property, it is in compliance with the Zoning Ordinance as this property was developed in accordance with all applicable provisions of the Zoning Ordinance at the time. (Please see the Zoning Compliance letter dated February 2, 2006 for the Zoning Administrator's determination that the site was developed in accordance with all applicable provisions of the Zoning Ordinance).

Design Guidelines

With the current revision to the GDP, sufficient details have been provided such that staff can conclude that the design guidelines have been satisfied by this application. As noted in the land use memo attached at Appendix 5 to this report, the design standards recommend the following:

- A full row of street trees of the same species, spaced approximately 30 feet apart within the landscaping strip;
- An evergreen hedge to shield the adjacent parking spaces from the street,
- Supplemental plantings consisting of perennial flowers, spring flowering bulbs and groundcover; and
- Detailed design specifications for the sidewalk, which include that it be a minimum of six feet wide and constructed with brick pavers.

The applicant proposes a row of street trees, as shown on Sheet 3, supplemented by medium evergreen shrubs to shield the parking spaces as recommended by the guidelines. Further, perennial flowers, groundcover and flowering bulbs are also shown on the plan. The recommended sidewalk width is also provided (6 feet wide with brick pavers). The applicant further includes a note on Sheet 3 stating that the streetscaping shall be in compliance with the McLean Central Business Center Open Space Design Standards. This commitment is reiterated in the draft proffer statement. Staff finds that the design guidelines have been met with this proposal.

Utility Undergrounding

The Comprehensive Plan recommends that utilities in this area be placed underground. It should be noted that this site is outside of that area in McLean currently undergoing an undergrounding project. However, the applicant is showing a public access easement so that utilities may be placed underground in the future. Staff has requested that the applicant actually proffer that this access easement will also serve as an "ancillary utility easement" to more accurately describe the commitment, and the applicant has done so. With the proffered easement commitment, staff concludes that this issue is resolved.

Environmental Analysis *(See Appendix 6)*

No environmental issues have been identified with this proposal

Transportation Analysis *(See Appendix 7)*

Entrance Location

The applicant proposes to relocate the site entrance further west along Chain Bridge Road. As part of this relocation, the applicant would restripe

Chain Bridge Road. Staff supports this new location as it is a much safer and more convenient location than the current entrance. It increases the storage bay length for vehicles turning left onto Ingleside Avenue and it will alleviate the existing unsafe traffic condition attributed to the short left turn bay for vehicles entering the subject site from Chain Bridge Road.

Parking Configuration

Two parking spaces are located near the newly proposed entrance which staff believes may present a possible vehicle conflict point at the entrance. Staff has recommended that the applicant relocate these spaces to avoid possible conflict at this time. Alternatively, the applicant may wish to proffer further evaluation, and possible relocation and/or removal of those parking spaces at the time of site plan review if the spaces are shown to be conflict points at final engineering. This issue is not resolved.

Urban Forester *(See Appendix 8)*

Staff has identified two mature trees located adjacent to the areas of proposed clearing and grading which would be impacted by construction and/or landscaping activities. Specifically, staff has identified a 12" diameter red maple in fair condition at the northeast corner of the site and a 20" diameter pin oak in good condition at the northwest corner of the site. Without adequate tree protection measures, these trees are unlikely to survive the construction and site work associated with this proposal.

Staff has suggested that the limits of clearing and grading be adjusted at the corners of the site and that 14" gauge welded wire tree protection fence should be provided along the limits of clearing and grading to protect both trees. The applicant has proffered to consult with Urban Forest Management (UFM) on field delineation of the limits of clearing and grading in an effort to maximize tree preservation during construction and to use welded wire tree protection if recommended by UFM. This issue is resolved.

Stormwater Management *(See Appendix 9)*

There are no comments related to stormwater management on this application as it does not propose changes that would affect the stormwater management onsite.

ZONING ORDINANCE PROVISIONS

Maximum Density/Bulk Regulations

Bulk Standards Zoning C-2		
Standard	Required	Provided
Lot Size	20,000 SF	193,106 SF
Lot Width	100 feet	258 feet
Front Yard	Controlled by a 30° angle of bulk plane, but not less than 25 feet	25 feet
Side Yard	No Requirement	7 feet
Rear Yard	25 feet	25 feet
Building Height	40 feet	40 feet
FAR	.50	.52
Open Space	30%	30%
Transitional Screening		
East	TS 2 (35 feet wide) required where site abuts single-family detached dwellings	Peripheral Parking lot Landscaping, Modification Requested (See Below)
West	Not required	Not Applicable
North	Not required	Not Applicable
South	TS 2 required where site abuts single family detached dwellings (see above).	Peripheral Parking Lot Landscaping is provided, Modification Requested to permit existing landscaping to satisfy TS requirements.
Barrier		
East	D, E, or F (6 foot high solid wall) where site abuts single-family detached dwellings	Six foot high brick solid wall
West	Not Required	Four foot high brick wall with two foot high wrought iron railing on top
North	Not required	Landscaping/Streetscaping strip
South	D, E, or F (6 foot high solid wall) where site abuts single-family detached dwelling	Six foot high brick solid wall
Parking Spaces	360	348 * (parking reduction requested)

Waivers and Modifications

Parking Reduction

Section A7-309 of the Zoning Ordinance permits the minimum off-street parking requirements for any non-residential uses to be reduced by twenty percent (20%) by the Board when it is demonstrated that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such requests may also be considered in conjunction with a rezoning and/or special exception application.

The site has 348 existing parking spaces, which represents a reduction of 12 spaces from the current zoning requirement of 360 spaces, less than a 4% reduction. As noted in the attached Land Use Memo, staff believes that the applicant's request for a parking reduction furthers the goals of revitalization through the improved streetscape that will result from approval of this application. In addition, staff believes that two of the currently proposed parking spaces present a possible point of conflict with the newly proposed entrance and staff has recommended the removal of those spaces. Even with the removal of these two additional spaces, the percentage reduction would be less than 4%. As such, staff supports this requested parking reduction.

Transitional Screening Requirement

During the original rezoning and subsequent site plan approvals, it appears that transitional screening now required under the Zoning Ordinance was not provided to buffer the office use from the abutting single family developments. However, the required parking lot landscaping was provided, which did include peripheral parking lot landscaping.

According to the Zoning Ordinance, office use which abuts single-family dwellings requires Transitional Screening 2 (an unbroken strip of open space at least 35 feet wide planted with a prescribed ratio of large deciduous and evergreen trees and shrubs) to buffer the nearby residential uses.

The McLean Professional Park currently abuts two areas of single-family detached dwellings. To the east, a portion of the development abuts single-family homes in the Second Addition to Bryn Mawr subdivision and to the south; the development abuts single-family homes located in Mclean Manor.

Per Par. 3 of Section 13-304, modifications and/or waivers to the Transitional Screening Yard are allowed when the land and buffers between the proposed building and the property line has been specifically designed to minimize impacts. The areas between the buildings and the property lines that abut to the single-family detached dwelling specifically contain an existing six-foot high brick wall.

These areas of the existing wall will not be affected by this application and staff has concluded that the current configuration of barrier and peripheral parking lot landscaping has minimized the impacts of this office development. Therefore, staff recommends that the modification to the transitional screening be supported and that the existing conditions be allowed to continue.

On-Road Bike Lane

The Countywide Trails Plan Map depicts a five-foot wide on-road bike lane along Chain Bridge Road adjacent to this site. While construction of such a bike lane would be desirable, staff has found that it would be helpful to at least obtain sufficient right-of-way to construct the bike lane in the future. However, such dedication would likely require movement of the existing utility boxes and reconfiguration of the parking lot along the Chain Bridge Road frontage which would be outside of the scope of this proposal. Therefore, given the practical difficulties of the dedication on this site where the existing structures and parking lot are to remain, and the limited nature of this application, staff supports the request for a waiver of the on-road bike lane. However, staff would note that this requirement remains a concern of staff and would be expected should a more substantial land use application, such as a change or intensification of use, be requested.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

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 C-491-02, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification to the transitional screening requirements where this property is adjacent to single family detached dwellings in favor of what is shown on the Generalized Development Plan.

Staff recommends that the parking requirement in a Commercial Revitalization District be reduced by up to 4% as generally depicted on the GDP.

Staff further recommends approval of a waiver of the on road bike lane along the Chain Bridge Road frontage.

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 Proffers
2. Affidavit
3. Statement of Justification
4. Information from previously Approved rezoning and Proffered Condition Amendment Applications (RZ C-491, PCA C-491)
5. Land Use and Environmental Analysis (with February 2, 2006 Zoning Compliance Letter)
6. Transportation Analysis
7. Urban Forestry Analysis
8. Stormwater Management Analysis
9. Glossary

**PCA C-491-02
T&M MCLEAN VENTURE, LLC
PROFFER**

March 9, 2009

Pursuant to §15.1-2203(A) of the Code of Virginia (1950 as amended) and §18-204 of the Zoning Ordinance of Fairfax County (1978 as amended) the property owner and Applicant, T&M McLean Venture, LLC, for itself and its successors assigns, (hereinafter referred to as the "Applicant") proffers that the development of the parcel under consideration identified on the Fairfax County Tax Maps as Tax Map Reference 30-2((1))23 (hereinafter referred to as the "Property"), will be in accordance with the following conditions, if and only if, the application, known as PCA C-491-02 is granted.

The Applicant reaffirms the proffers dated October 1, 1975 approved in Rezoning Application RZ C-491, subject to the following amendments:

1. a. Ingress and egress to and from the Property shall be by way of the entrance as shown on the Generalized Development Plan ("GDP") dated February 6, 2009 prepared by Charles P. Johnson & Associates, Inc. The easternmost entrance on Chain Bridge Road shall be closed.

b. Applicant shall record an ancillary utility easement along the Property's Chain Bridge Road frontage for future utility undergrounding in the easement area shown on the GDP.

2. A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 and the Chain Bridge Road frontage as shown on the GDP and except for that part of the wall commencing at the Southwest corner of the Clarke-Hook Building (Tax Map 30-4-003-16) and continuing along the boundary line of the subject premises to the Southeast corner thereof for which distance said brick wall will be six feet in height. The Applicant acknowledges that there is no wall adjacent to the face of the Clark-Hook building. If the Clark-Hook building is ever demolished, a six foot tall section of wall will be added to that area of the Property. The Applicant shall construct streetscape improvements in general conformance with the McLean CBC Design Guidelines and install landscaping as shown on sheet 3 of the GDP.

3. On site retention of storm water drainage will be provided sufficient to insure that no damage is caused to the adjacent properties.

4. The drainage ditch located near Laughlin Street and Tennyson Street will be graded in a manner sufficient to prevent water drainage from flowing from the ditch and spilling over into Tennyson Street.

5. There shall be no retail commercial establishments within the development except those permitted in a C-2 district for the convenience of those occupying structures within the development.

6. Prior to the submission of a site plan to the County, the applicants will present a complete site plan, including physical features and facilities of immediately adjacent properties having frontage on Chain Bridge Road, the site plan to include all proper landscaping with specific details of the same as are appropriate.

7. Property Owner shall seek no amendment to these proffers that would permit access to and from the site to McNeer Street.

Add Paragraph 8 to Read:

8. Prior to site plan submission, the applicant shall consult with Urban Forest Management on field delineation of the limits of clearing and grading in an effort to maximize tree preservation during construction and shall utilize welded wire fencing protection of the limits of clearing if recommended by UFM.

Add Paragraph 9 to Read:

9. Applicant shall restripe the turn lane on Chain Bridge Road adjacent to the relocated entrance, subject to VDOT approval.

APPLICANT TITLE OWNER:
T&M McLean Venture, LLC

By: William A. Moran
Title: Manager

REZONING AFFIDAVIT

APPENDIX 2

DATE: January 22, 2009
(enter date affidavit is notarized)

I, Keith C. Martin, 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 101926c

in Application No.(s): PCA C-491- 02
(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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Rows include T&M McLean Venture, LLC; Sack Harris & Martin, P.C.; Charles P. Johnson & Associates, Inc.; M.J. Wells & Associates, Inc.

(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 AFFIDAVIT

DATE: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-c 2
(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)
T&M McLean Venture, LLC
8230 Leesburg Pike, Suite 500
Vienna, VA 22182

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)

Members: Chalford, L.C.; Sharon M. Oliver; Peter (NMI) Hitch; Lauer MMP, LLC; Stephen M. Cumbie; Philip E. Meany, Jr.; Peter H. Lunt
Managers: David D. Flanagan; William A. Moran; Capital Realty, LLC; Philip E. Meany, Jr.; Stephen M. Cumbie; Peter H. Lunt

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

(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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-02
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Capital Realty, LLC
7500 Old Georgetown Road
Bethesda, MD 20814

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)
Dan T. Montgomery - Sole Member/Manager

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)
Lauer MMP, LLC
1450 Baron Cameron Avenue
Reston, VA 20180

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)
William H. Lauer - Sole Member/Manager

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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-02
(enter County-assigned application number (s))

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

Charles P. Johnson & Associates, Inc.
3959 Pender Drive, Suite 210
Fairfax, VA 22030

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)

Charles P. Johnson
Paul B. Johnson

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)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

M.J. Wells & Associates, Inc.
Employee Stock Ownership Trust (ESOT). All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491 - 02
(enter County-assigned application number (s))

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

Chalford, L.C.
6820 Elm Street, Suite 200
McLean, VA 22101

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)

David D. Flanagan - Member
William A. Moran - Member/Manager
Capital Realty, LLC - Member/Manager
McLean Professional Park, LLC - Member

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)

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)

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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-02
(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)

(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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-02
(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: January 22, 2009
(enter date affidavit is notarized)

101926c

for Application No. (s): PCA C-491-02
(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.)

William Moran and David D. Flanagan of T&M McLean Venture, LLC contributed in excess of \$100 to Friends of Michael Frey.

(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)

Applicant

Applicant's Authorized Agent

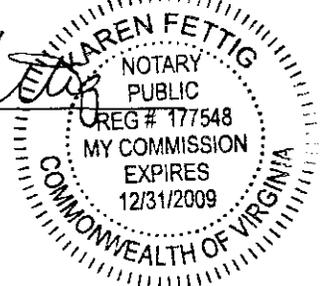
Keith C. Martin, Agent

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

Subscribed and sworn to before me this 22nd day of January 2009, in the State/Comm. of Virginia, County/City of Fairfax

Karen Fettig

Notary Public



My commission expires: 12.31.09

SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

August 5, 2008

RECEIVED
Department of Planning
AUG 12 2008
Zoning Evaluation Division

Ms. Regina Coyle
Department of Planning & Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: Proffer Condition Amendment PCA C-491
Tax Map 30-2((1))23
T&M McLean Venture, LLC
Zoning Districts: C-2; SC; CRD

Dear Ms. Coyle:

The following is submitted as a Statement of Justification for the above referenced application. The 4.43 acre property is the site of the McLean Professional Park along Chain Bridge Road. The October 1, 1975 proffers state the following:

1. Ingress and egress to and from the development will be by way of one connection to Chain Bridge Road as shown on the development plan, in addition to the service drive connecting to contiguous properties on either side. The service drive will be constructed parallel to Chain Bridge Road. The only other access to the property, if subsequently required, will be one for pedestrians connecting subject development with the adjacent parking lot of the McLean Medical Building.

2. A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 above.

8. Property owner shall seek no amendment to this proffer, including the development plan, that would result in any modification to the requirement of a four foot high brick wall and two foot high wrought iron fence on top as set forth in paragraph 2 above, or that would permit access to and from the site to McNear Street as set forth in paragraph 1 above.

SACK HARRIS & MARTIN, P.C.

Ms. Regina Coyle
August 5, 2008
Page 2 of 2

The Owners of the McLean Professional Park were unaware of the 1975 proffers and in an effort to upgrade the Park's Chain Bridge Road frontage removed the 4 foot brick wall and replaced it with a landscaped berm. The Park was recently given an award from the McLean Central Business District Committee for its beautification efforts. This proffer amendment seeks to replace the 1975 paragraph 2 language recognizing the landscaped berm. Paragraph number 8 needs to be amended also.

The existing entrance to the Park along Chain Bridge Road has always been problematic and often dangerous. The Owners have discussed a redesign with VDOT and received support for a second entrance for full movements and converting the existing entrance to a right-in/right-out design as shown on the GDP. Therefore paragraph number 1 will need to be amended to recognize the proposed entrance redesigns.

It is submitted that these amendments promote the policies and objectives of the McLean CBC guidelines of the Comprehensive Plan. There are no proposed amendments or intensification to the existing buildings and facilities with the Park.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

Copy to:
Peter Lunt
William Moran
Lauren Bauer

SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

January 15, 2009

RECEIVED
Department of Planning & Zoning
JAN 15 2009
Zoning Evaluation Division

Ms. Suzanne Lin
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: PCA C-491
Waiver and Modification Requests

Dear Ms. Lin:

The Applicant hereby requests the following waiver and modification to Transitional Screening and trail requirements for the proposed/existing development:

1. Waiver of the on road bicycle lane requirement along Chain Bridge Road. The bicycle lane would require an additional 5 feet of right-of-way dedication which would push the streetscape and wall back into an area that is the location of existing utilities.
2. Waiver/modification of the Transitional Screening requirements along the eastern and southern property lines in favor of the existing brick wall and landscaping shown on the GDP.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

cc: Peter Lunt

REZONING APPLICATION C-491

FREDERICK M. GROSS

I hereby proffer that the development of the subject property of this application shall be in accordance with the conditions hereinafter set forth and in accordance with the development plan filed herewith, unless an amendment to either is mutually agreed upon by the Board of Supervisors and the property owner.

The conditions, in addition to the development plan, are as follows:

1. Ingress and egress to and from the development will be by way of one connection to Chain Bridge Road as shown on the development plan, in addition to the service drive connecting to contiguous properties on either side. The service drive will be constructed parallel to Chain Bridge Road. The only other access to the property, if subsequently required, will be one for pedestrians connecting subject development with the adjacent parking lot of the McLean Medical Building.
2. A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 above.
3. On site retention of storm water drainage will be provided sufficient to insure that no damage is caused to the adjacent properties.
4. Where relevant, the development of the site will conform to the "Design Standards" of the McLean, Virginia Central Business District, published in June, 1972.
5. The drainage ditch located near Laughlin Street and Tennyson Street will be graded in a manner sufficient to prevent water drainage from flowing from the ditch and spilling over into Tennyson Street.
6. There shall be no retail commercial establishments within the development except those permitted in a C-OL district for the convenience of those occupying structures within the development.
7. Prior to the submission of a site plan to the County, the applicants will present a complete site plan, including physical features and facilities of immediately adjacent properties having frontage on Chain Bridge Road, the site plan to include all proper landscaping with specific details of the same as are appropriate.
8. Property owner shall seek no amendment to this proffer, including the development plan, that would result in any modification to the requirement of a four foot high brick wall and two foot high wrought iron fence on top as set forth in paragraph 2 above, or that would permit access to and from the site to McNear Street as set forth in paragraph 1 above.

Dated: October 1, 1975

Respectfully submitted,

Frederick M. Gross

Frederick M. Gross, Trustee

11/16/75



#63

APPLICATION NUMBER PCA C-491

DRANESVILLE DISTRICT

STAFF REPORT

Applicant: Young and Skidmore Company

Present Zoning: C-OL

Requested Zoning: Proffered
Condition Amendment

Proposed Use: Commercial offices

Subject Parcels: 30-2 ((1)) Pt. 13

Acreage: 4.55233

Application Filing Date: June 15, 1978

Planning Commission Hearing Date: July 6, 1978

Board of Supervisors Hearing Date: July 17, 1978

Staff Recommendation: The staff recommends that the Board of Supervisors approve the proposed revision of the proffered conditions as stated in the applicant's letter, Appendix 3.

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

SS

Proffered Condition Amendment



Number: PCA C-491

District: Dranesville

Acreage: 4.55233

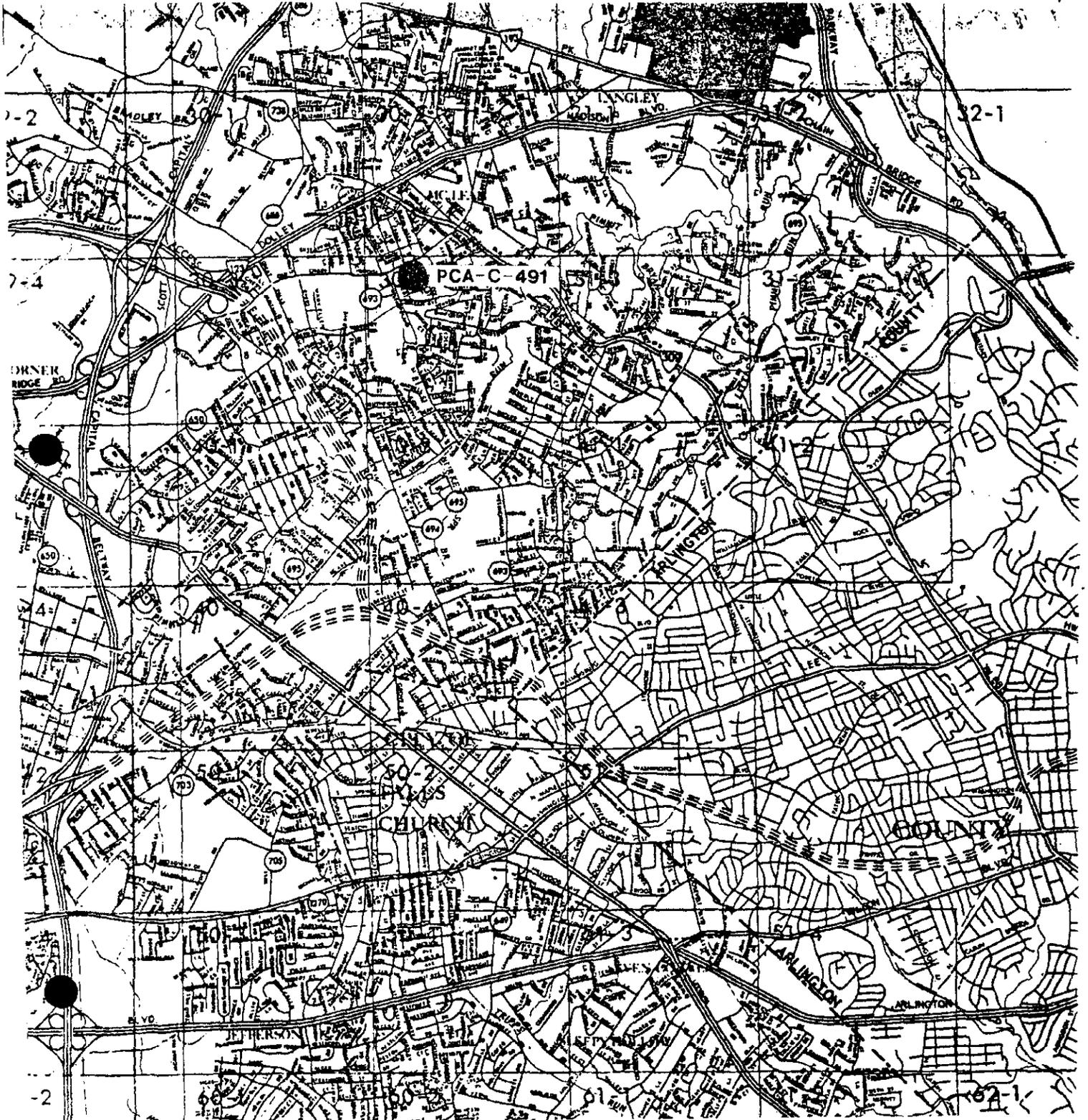
Section Sheet: 30-2

Existing Zoning: C-OL

Subdivision: ((1))

Lot: Pt. 13

Applicant: Young and Skidmore Company



Proffered Condition Amendment



Number: PCA C-491

District: Dranesville

Acreage: 4.55233

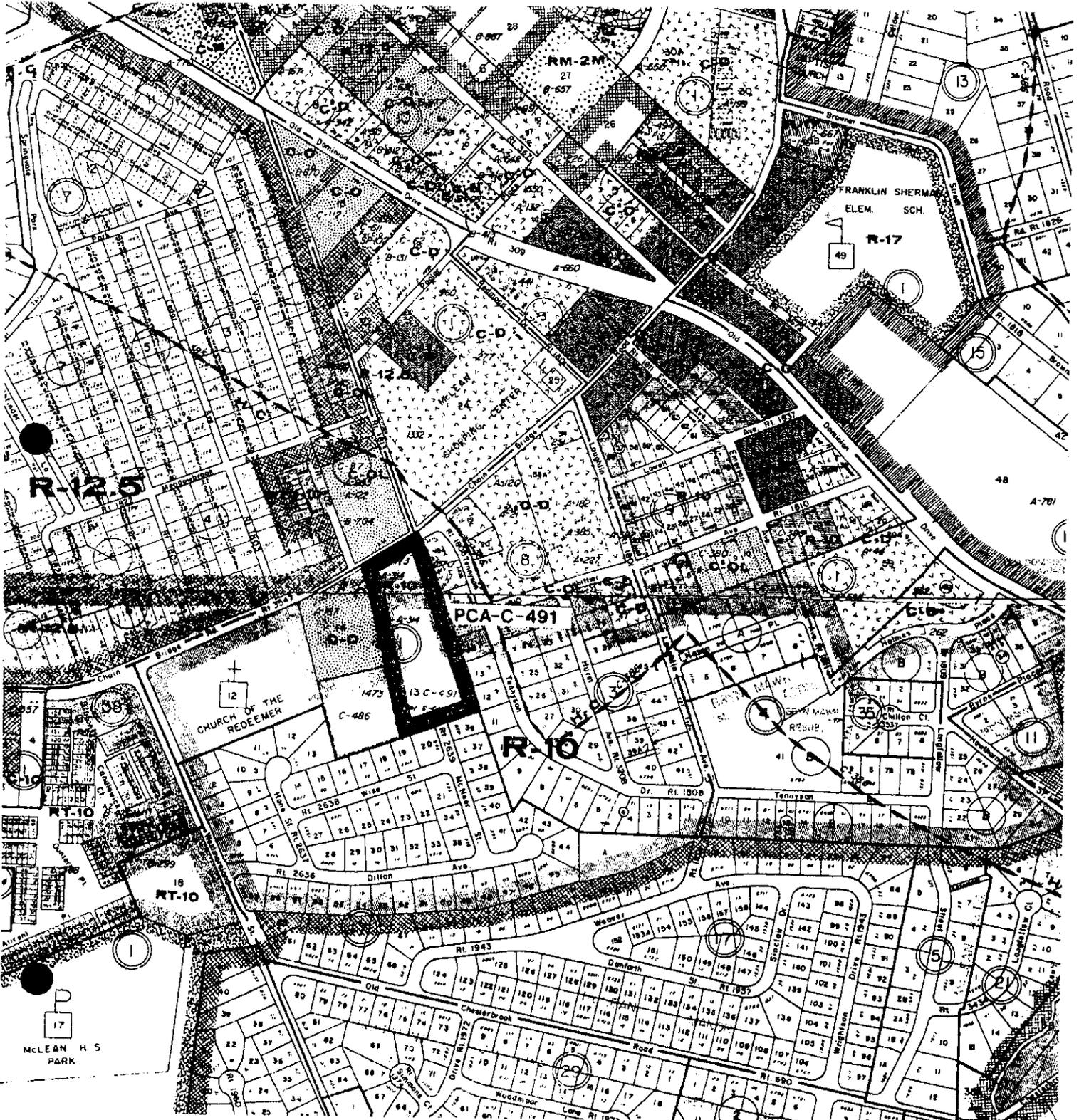
Section Sheet: 30-2

Existing Zoning: C-OL

Subdivision: ((1))

Lot: Pt. 13

Applicant: Young and Skidmore Company



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

LOCATION

The property within this application is located on the south side of Chain Bridge Road approximately 200 feet west of its intersection with Tennyson Drive in the McLean Central Business District.

BACKGROUND

On October 1, 1975 the Board of Supervisors approved rezoning of this property to the C-OL (commercial office, low-rise) District for the purpose of constructing several groups of townhouse style office buildings. The development plan was proffered. A copy of the proffer is Appendix 2.

DESCRIPTION OF APPLICATION

This application, made by new owners, requests a change in one of the development conditions proffered at the time of rezoning. Specifically, it requests that a portion of a proffer of "a four foot high wall with a two foot wrought iron railing on top" be amended to permit construction of a six foot brick wall. The precise request is contained in the application letter at Appendix 3.

DISCUSSION

It is noted that the six foot fence is in accordance with the current provisions of Article XVIII, Landscaping and Screening, of the Zoning Ordinance.

From a planning perspective, either wall is adequate and the matter can appropriately be treated as a matter of community concern to be resolved with the developer. The change in the proffered conditions is a legal requirement to reflect resolution of the matter between the parties most concerned.

At the time of the rezoning, the wall surrounding the proposed development was the subject of some discussion between the developer and local citizens. At that time at least part of the community sought a six foot brick wall.

Staff has been advised by representatives of both the Planning and Zoning Committee of the McLean Citizens Association and the McLean Planning Committee that they favor the requested change to a six foot brick wall.

RECOMMENDATION

Therefore, the staff recommends that the Board of Supervisors approve the proposed revision of the proffered conditions as stated in the applicant's letter, Appendix 3.

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

Appendices:

1. Rezoning Affidavit
 2. Proffered Conditions, dated Oct 1, 1975
 3. Requested Revision of Proffer
 4. Glossary Statement
-

FREDERICK M. GROSS

I hereby proffer that the development of the subject property of this application shall be in accordance with the conditions hereinafter set forth and in accordance with the development plan filed herewith, unless an amendment to either is mutually agreed upon by the Board of Supervisors and the property owner.

The conditions, in addition to the development plan, are as follows:

1. Ingress and egress to and from the development will be by way of one connection to Chain Bridge Road as shown on the development plan, in addition to the service drive connecting to contiguous properties on either side. The service drive will be constructed parallel to Chain Bridge Road. The only other access to the property, if subsequently required, will be one for pedestrians connecting subject development with the adjacent parking lot of the McLean Medical Building.
2. A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 above.
3. On site retention of storm water drainage will be provided sufficient to insure that no damage is caused to the adjacent properties.
4. Where relevant, the development of the site will conform to the "Design Standards" of the McLean, Virginia Central Business District, published in June, 1972.
5. The drainage ditch located near Laughlin Street and Tennyson Street will be graded in a manner sufficient to prevent water drainage from flowing from the ditch and spilling over into Tennyson Street.
6. There shall be no retail commercial establishments within the development except those permitted in a C-OL district for the convenience of those occupying structures within the development.
7. Prior to the submission of a site plan to the County, the applicants will present a complete site plan, including physical features and facilities of immediately adjacent properties having frontage on Chain Bridge Road, the site plan to include all proper landscaping with specific details of the same as are appropriate.
8. Property owner shall seek no amendment to this proffer, including the development plan, that would result in any modification to the requirement of a four foot high brick wall and two foot high wrought iron fence on top as set forth in paragraph 2 above, or that would permit access to and from the site to McNeer Street as set forth in paragraph 1 above.

Dated: October 1, 1975

Respectfully submitted,

Frederick M. Gross

Frederick M. Gross, Trustee

By: *William H. Hunsinger*

June 14, 1978

Mr. Gilbert R. Knowlton,
Zoning Administrator
10555 Main Street
Fairfax, Virginia 22030

Re: Rezoning Application C-491 -
Board of Supervisors date -
October 1, 1975

Dear Mr. Knowlton:

Please refer to Item 2 of the proffered conditions submitted incident to the above-referenced rezoning application. Item 2 states as follows:

"A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 above."

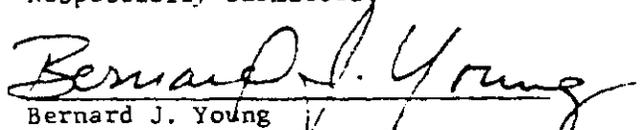
It is respectfully requested that Item 2 of the proffered conditions be amended to read as follows:

"A four foot high brick wall with a two foot high wrought iron railing on top will surround the entire development except for the openings mentioned in paragraph 1 and except for that part of the wall commencing at the Southwest corner of the Clarke-Hoop Building (Tax Map 30-4-003-16) and continuing along the boundary line of the subject premises to the Southeast corner thereof for which distance said brick wall will be six feet in height."

Since the time of rezoning, the ownership of the property has changed from that of Frederick M. Gross, Trustee to Young & Skidmore Company, a partnership consisting of Bernard J. Young and Harold Skidmore of 4545 42nd St., N.W., Washington, D.C., 20016.

Dated: June 14, 1978

Respectfully submitted,


Bernard J. Young


Harold Skidmore

4:00 P.M. Item - PCA-C-491 - Young & Skidmore
Company - DRANESVILLE DISTRICT

On Thursday, July 6, 1978 the Planning Commission voted unanimously (Mr. Lockwood, Mrs. Pellettieri, Mr. Brinitzer absent from the meeting; Mr. Sell absent for the vote) to recommend that the Board of Supervisors approve the proposed revision of the proffered conditions as stated in the applicant's June 14, 1978 letter and as amended so that the word "southeast" reads "southwest".

JUL 17 1978

4:00 P.M.

PCA.C-491



County of Fairfax, Virginia

MEMORANDUM

DATE: January 30, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis and Environmental Assessment: PCA C-491-02
McLean Professional Park

The memorandum, prepared by Jennifer Bonnette, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject Proffer Condition Amendment (PCA) application dated September 10, 2008 as revised through January 7, 2009, and proffers dated January 12, 2009. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested.

DESCRIPTION OF THE APPLICATION

The applicant, T&M McLean Venture LLC, proposes to change the proffers for an existing townhouse-style office park. One proffer requires a four foot high brick wall with a two foot high wrought iron railing on top to surround the entire development, including along the Chain Bridge Road frontage. The applicant recently removed the majority of the brick wall along this frontage and replaced it with a landscaping strip composed mostly of shrubs, groundcover and seasonal plantings. A small portion of the brick wall remains along Chain Bridge Road to buffer the existing utilities located on the property. Another proffer limits vehicular access to one point on Chain Bridge Road. The applicant proposes to close the existing access point and establish a new access point to the west, which will provide a safer ingress and egress for the property. Additionally, the applicant is requesting a parking reduction due to an increase in the parking requirement from when the site plan was initially approved in 1977 to the current parking requirement. The site will have 348 parking spaces, a reduction of 12 spaces from the current zoning requirement.

LOCATION AND CHARACTER OF THE AREA

The subject property is developed with a townhouse-style office park and is located on Chain Bridge Road just to the west of Tennyson Drive. The site is located along the outer edge of the McLean Community Business Center. It is planned for office use and zoned C-2. To the east and west are office and commercial uses, planned for office and retail and zoned C-2 and C-3.

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/



Directly to the south is a residential community, composed of single family detached homes, and planned for residential use at 2 to 3 dwelling units per acre and zoned R-4. To the north across Chain Bridge Road are several uses including residential, an indoor athletic club, and shopping center, planned for 5-8 dwelling units per acre, private recreation and retail and zoned R-8, C-2 and C-6 respectively.

COMPREHENSIVE PLAN CITATIONS:

Land Use

In the Fairfax County Comprehensive Plan, 2007 Edition, Area II, McLean Planning District, McLean Community Business Center, as amended through August 6, 2007, pages 28 and 35, the Plan states:

“Areas of Minimum Change comprise the existing built up sectors of the CBC. Primarily recent construction, these areas are centered along the office corridor of upper Old Dominion Drive, Elm Street, and Beverly Road, and the large residential concentrations at the southeast and southwest CBC boundaries. These areas (i.e., Subareas 1, 2, 10, 15, 16, 20, 22, 25, 26, and 29) represent the concentration of new development which has occurred within McLean and which can be anticipated to remain for the foreseeable future. Although some new infill development may occur within these areas, essentially no change is expected. Any future development should follow the McLean CBC Design Standards. . . .

Subarea #2: Chain Bridge Road, Tennyson Drive, CBC Line, and Westmoreland Street.

Guidelines

Planning Objective Institutional use (church) and low scale townhouse office as transitions between single-family neighborhood and CBC.

Land Use Objective Maintain institutional use (church) and low/medium density commercial office. If church site redevelops, it should be as low density townhouse residential use. For office use, retain transitional character, height no more than 40 ft., landscaped 30% open space and pedestrian plaza along Chain Bridge Road frontage, no new retail, bus shelter. Retain existing retail.

Implementation Strategy Existing zoning.

Parking Requirement As required by existing zoning.

Design Objective

Public Space Guidelines North (Chain Bridge Road): Public Walkway type E or G or Commercial Office Walkway type H
East (Tennyson Drive): Public Walkway type E or Commercial Office Walkway type H
West (Westmoreland Street): Public Walkway type E or G

Building Envelope Guidelines	Mixed-Use Shopping Center type J or Rowhouse Office type K.
-------------------------------------	---

Building Relationships	Cluster townhouse with surface parking areas broken by landscaping and varied building forms.
-------------------------------	---

Special Considerations	Provide landscaped buffer when adjoining single-family housing. Bikeway on eastern side along Tennyson Drive. Add landscaping and street trees along Chain Bridge Road and Tennyson Drive.”
-------------------------------	---

COMPREHENSIVE PLAN MAP: Office

LAND USE ANALYSIS

The applicant has removed a four foot high brick wall that was topped by a two foot high wrought iron railing along the majority of the subject property’s Chain Bridge Road frontage in contradiction to the existing proffers on the site. The applicant has replaced the wall with a landscaping strip composed mostly of shrubs, groundcover and seasonal plantings. The McLean Central Business Center Open Space Design Standards provides guidance as to the streetscaping along this portion of Chain Bridge Road. The design standards recommend the following:

- a full row of street trees of the same species, spaced approximately 30 feet apart within the landscaping strip;
- an evergreen hedge to shield the adjacent parking spaces from the street;
- supplemental plantings consisting of perennial flowers, spring flowering bulbs and groundcover; and
- detailed design specifications for the sidewalk, which include that it be a minimum of six feet wide and constructed with brick pavers.

Staff recommended to the applicant that the remaining section of brick wall along Chain Bridge Road, which was kept to serve as a visual buffer of existing utilities located in the landscaping strip, should be replaced with a more attractive buffer. The buffer should either be a better designed brick wall, landscaping or a combination of the two. Additionally, it was recommended that the existing gravel sidewalk located in the northeastern corner of the site that provides an informal pedestrian access point should be redesigned. The redesign should incorporate a pedestrian entrance feature that includes a sidewalk composed of brick pavers

and a bench that both meet the design standards. A similar pedestrian entrance feature should be provided in the northwestern corner of the site.

The applicant has shown shade trees and evergreen shrubs planted in the landscaping strip and a six foot wide sidewalk in a design that appears to meet the design standards. A two foot wide grass strip in between the sidewalk and curb is shown. Two pedestrian connections to the site at both the northeast and southeast corners of the property have been designed with brick pavers to match the sidewalk. To further meet the design standards, the curbs should include paver edging. If there is adequate space, the applicant should also consider providing a bench in both of the pedestrian entrance areas. It appears that the remainder of the brick wall that shields the utilities has been either replaced or enhanced, however, it is unclear what, specifically, the applicant is proposing from what is shown on the development plan. The applicant should provide additional detail on the development plan that show the proposed improvements to this area and show more details about the proposed sidewalk. The design standards also recommend supplemental plantings consisting of perennial flowers, spring flowering bulbs and groundcover, which are not shown on the development plan.

The applicant has proposed to relocate the vehicular entrance, so that it is farther away from the intersection of Chain Bridge Road with Ingleside Avenue. The new entrance location will result in a safer and more convenient ingress and egress point.

The applicant's request for a parking reduction furthers the goals of revitalization through the improved streetscape that will result from approval of this application. Overall, the development proposal will enhance the pedestrian experience along this portion of Chain Bridge Road.

ENVIRONMENTAL ANALYSIS

No environmental issues have been identified.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map depicts a major paved trail, consisting of an eight foot or wider asphalt or concrete trail, and a five foot wide on-road bike lane on Chain Bridge Road. The applicant shows an existing six foot wide sidewalk that meets the McLean Central Business Center Open Space Design Standards, which is consist with the sidewalk width on the adjacent properties.

PGN: JRB

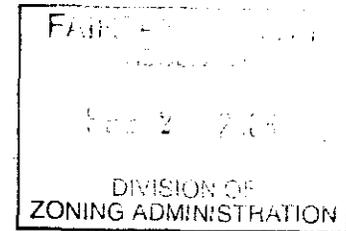


County of Fairfax, Virginia

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

February 2, 2006

Mr. Robert Deal
Roeder and Associates, P.C.
8280 Greensboro Drive
Suite 601
McLean, Virginia 22102



Re: 1477, 1479, 1481, 1485, 1487, 1495, 1497, 1499 Chain Bridge Road
Tax Map Ref: 30-2 ((1)) 23

1489, 1491, 1493, 1495 Chain Bridge Road
Tax Map Ref: 30-4 ((1)) 13

Zoning Districts: C-2, SC, CRD

Dear Mr. Deal:

This is in response to your letter of January 11, 2006 to William Shoup requesting certain zoning information regarding the referenced properties. Our files contain the following information:

1. The referenced properties are zoned C-2, Limited Office District, Sign Control Overlay District (SC) and McLean Commercial Revitalization District (CRD). The property located at Tax Map 30-2 ((1)) 23 is subject to the proffered conditions associated with Rezoning RZ C-491, as amended and the property located at Tax Map 30-4 ((1)) 13 is subject to Rezoning RZ 77-D-026. There are no special exception, special permit or variance approvals associated with the referenced properties. A copy of the district regulations and the proffered conditions is attached.
2. Our records indicate that Site Plan #1788-SP-01-3 entitled, "McLean Professional Park," was approved on February 1, 1977 for an office development containing 99,840 square feet of gross floor area (GFA) with 341 provided and 345 required parking spaces on Tax Map 30-2 ((1)) 23. Our records further indicate that Site Plan #1788-SP-02-2 entitled, "McLean Professional Park Section 2," was approved on March 18, 1980 for four office buildings with a gross floor area of 40,320 square feet and 152 required and provided parking spaces on Tax Map 30-4 ((1)) 13. According to our records, it appears that the properties were developed in accordance with all applicable provisions of the Zoning Ordinance.

Department of Planning and Zoning
Zoning Administration Division
Ordinance Administration Branch
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035-5505
Phone 703-324-1314 FAX 703-803-6372
www.fairfaxcounty.gov/dpz/

3. According to our records, there are no pending rezoning, special exception, special permit or variance applications with regard to the referenced properties. In addition, there are no outstanding zoning violations or zoning enforcement actions pending against the referenced properties.
4. There does not appear to be any pending Zoning Ordinance amendments which may adversely impact the properties and it is beyond the purview of this office to address any legislative, administrative, or judicial proceedings that might impact the properties.

Enclosed for your records is Receipt #2006-0034 for the compliance letter fee. I trust this satisfactorily responds to your request. Should you require additional information, I can be reached at (703) 324-1314.

Sincerely,



Cynthia Porter Johnson
Assistant to the Zoning Administrator

CPJ/

Attachment: A/S

cc: Joan M. Dubois, Supervisor
Dranesville District
Eileen M. McLane, Deputy Zoning Administrator
for Ordinance Administration Branch
Leslie B. Johnson, Deputy Zoning Administrator
for Zoning Permit Review Branch



County of Fairfax, Virginia

MEMORANDUM

DATE: January 9, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

FILE: 3-4 (PCA C-491-2)

SUBJECT: PCA C-491-2; T&M McLean Venture
Land Identification Map: 30-2-((1))-23

This department has reviewed the proffered condition amendment plat revised through September 10, 2008 and offers the following comments:

- The County is in favor of the applicant's proposal to relocate the site's full access entrance further west along Chain Bridge Road and re-stripe Chain Bridge Road to increase the storage bay length for vehicles turning left onto Ingleside Avenue. Such an improvement would be beneficial in alleviating the unsafe traffic condition attributed to the short left turn bay for vehicles entering the site from Chain Bridge Road and the existing entrance's close proximity to a signalized intersection.
- Their proposal to convert the existing entrance as a right-in/right-out only, however, is more problematic as a second entrance is not necessary and has the potential to increase delay along Chain Bridge Road. Additionally, without a physical barrier in the median it may still be possible to make left turns into the site at this undesirable location. It is FCDOT's preference that the full access entrance be relocated and existing entrance closed.
- The two parking spaces along the western border closest to the new full access entrance should be relocated to avoid any vehicle conflicts at the entrance.
- Right-of-way dedication towards an on-road bike lane would be desirable along Chain Bridge Road.

AKR/MEC



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

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

November 24, 2008

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

Re: McLean Professional Park
T&M McLean Venture, LLC
PCA C-491-02, Tax Map No.: 30-2((1)) 23

Dear Ms. Coyle:

We have reviewed the referenced plan as requested and offer the following comment:

- The proposed easterly entrance should be closed or restricted to a right – in only.

If you have any questions, please call me at (703) 383-2059.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter K. Gerner".

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver



MEMORANDUM

November 6, 2008

TO: Suzanne Lin, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Heather Finch, Urban Forester II *HAF*
Forest Conservation Branch, DPWES

SUBJECT: McLean Professional Park, PCA C-491-02

This review is based on the Application for a proffered condition amendment stamped "Received, Department of Planning and Zoning, August 12, 2008." A site visit was conducted on November 5, 2008.

Site Description: The site contains existing office buildings and associated parking areas. There are several mature landscape trees on the site which vary in condition from fair to good; including red maple and pin oak. The existing trees are located along the perimeter of the site and also in the interior parking lot and courtyard areas. Very few trees are located in the area of proposed construction. The existence of so many healthy, mature shade trees on this site is an important benefit to not only the site, but the surrounding community as well.

- 1. Comment:** Two mature trees are located adjacent to the areas of construction and will be impacted, a 12" diameter red maple in fair condition at the northeast corner of the site and a 20" diameter pin oak in good condition at the northwest corner of the site. In addition, seven small landscape trees are located within the landscaped strip along Chain Bridge Road. It appears that four of these will have to be removed to complete the proposed improvements. In addition, there are several shrubs and flowering plants located within these areas that will need to be removed.

Recommendation: Every effort should be made to preserve the two mature trees that are adjacent to the proposed limits of clearing and grading. These trees have been growing with limited space for many years, so the main concern is protecting them from the construction activity itself and avoiding impacts to the small areas of soil that they currently have. If possible, the limits of clearing and grading should be adjusted to the edge of the proposed area of construction to help protect the critical root zone of the maple in the northeast corner of the site. 14 gauge welded wire tree protection fence should be provided along the limits of clearing and grading to protect both trees.



Please contact me at 703-324-1770 if you have any questions or concerns.

HAF/

UFMID #: 141662

cc: RA File
DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

APPENDIX 8

MEMORANDUM

DATE: OCT 27 2008

TO: Susan C. Langdon, Chief
Special Permit and Variance Branch
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum Khan, Senior Stormwater Engineer 
Stormwater and Soil Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffered Condition Amendment Application, PCA C-491-02, T&M
McLean Venture, LLC, Plan Dated September 18, 2008, LDS Project
#1788-ZONA-001-1, Tax Map #030-2-01-0023, Dranesville District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on the site.

Floodplain

There is no floodplain on the site

Stormwater Management

We have no comments related to stormwater management, because this application deals with the replacement of property frontage wall with a landscaped berm and proposes an additional entrance to the park.

If further assistance is desired, please contact me at 703-324-1720.

QK/mw

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Zoning Application Files



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		