



# FAIRFAX COUNTY

APPLICATION FILED: August 19, 2002  
AMENDED: December 13, 2002  
PLANNING COMMISSION: May 29, 2003  
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

July 10, 2003

## STAFF REPORT

APPLICATION PCA 98-LE-048-2 & FDPA 98-LE-048-1-2

### LEE DISTRICT

**APPLICANT:** MPW LLC

**PRESENT ZONING:** PDC

**PARCELS:** 91-1 ((1)) 11 B-2, 23C, 91-1 ((28)) 1, 2

**ACREAGE:** 29.23 acres

**FLOOR AREA RATIO (FAR):** 0.84 (based on 29.23 acres)  
0.62 (based on original application property of 37.17 acres plus density credit to equal 40.88 acres)

**OPEN SPACE:** 4.44 acres (15 percent)

**PLAN MAP:** 1-2 du/ac, 3-4 du/ac and Public Facility along the Power Line Easement

**PROPOSAL:** Allow an office building with a child care center in lieu of the previously approved hotel and separate child care center within a 5.93 acre portion of Metro Park

### STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 1998-LE-048-2 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan Amendment.

Staff further recommends that the Final Development Plan Amendment be approved by the Planning Commission.

Staff further recommends that the transitional screening yard requirement be modified along the southern and eastern boundaries and that the barrier requirement be modified

along the southern and eastern boundaries and within Metro Park in favor of that shown on the Conceptual/Final Development Plan Amendment and referenced in the proffers and/or development conditions.

Staff further recommends that the Board of Supervisors grant a variance pursuant to Sect. 16-401 of the Zoning Ordinance to allow a seven foot tall wall in a front yard with regard to the proffered fence along the southern boundary.

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

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

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



# Proffered Condition Amendment

PCA 1998-LE-048-02

Applicant: MPW, LLC  
Filed: 08/19/2002- AMENDED 02/13/2003  
Area: 29.23 AC OF LAND; DISTRICT - LEE  
Proposed: TO AMEND RZ 1998-LE-048 PREVIOUS APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT OFFICE AND CHILD CARE  
Located: WEST SIDE OF BEULAH STREET NORTH OF FRANCONIA SPRINGFIELD PARKWAY  
Zoning: PDC  
Overlay Dist:  
Map Ref Num: 091-1- /01/ /0011B2 /01/ /0023C /28/ /0001 /28/ /0002

# Final Development Plan Amendment

FDPA 1998-LE-048-01-02

Applicant: MPW LLC  
Filed: 08/19/2002- AMENDED 02/13/2003  
Area: 29.23 AC OF LAND; DISTRICT - LEE  
Proposed: TO AMEND FDP 1998-LE-048 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT OFFICE AND CHILD CARE  
Located: WEST SIDE OF BEULAH STREET NORTH OF FRANCONIA SPRINGFIELD PARKWAY  
Zoning: PDC  
Overlay Dist:  
Map Ref Num: 091-1- /01/ /0011B2 /01/ /0023C /28/ /0001 /28/ /0002



# Proffered Condition Amendment

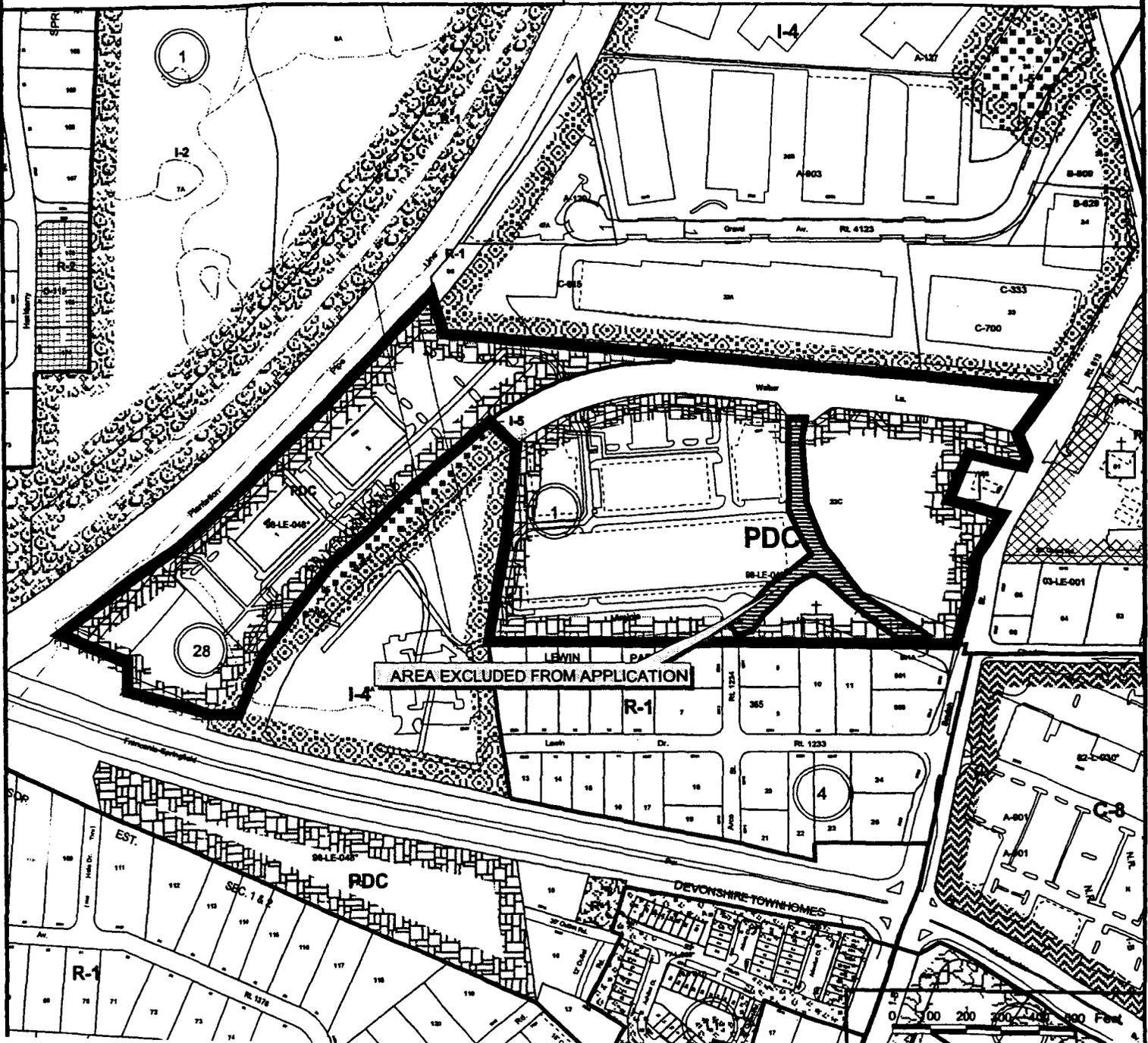
PCA 1998-LE-048-02

# Final Development Plan Amendment

FDPA 1998-LE-048-01-02

Applicant: MPW, LLC  
Filed: 08/19/2002- AMENDED 02/13/2003  
Area: 29.23 AC OF LAND; DISTRICT - LEE  
Proposed: TO AMEND RZ 1998-LE-048 PREVIOUS APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT OFFICE AND CHILD CARE  
Located: WEST SIDE OF BEULAH STREET NORTH OF FRANCONIA SPRINGFIELD PARKWAY  
Zoning: PDC  
Overlay Dist:  
Map Ref Num: 091-1- /01/ /0011B2 /01/ /0023C /28/ /0001 /28/ /0002

Applicant: MPW LLC  
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Area: 29.23 AC OF LAND; DISTRICT - LEE  
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Map Ref Num: 091-1- /01/ /0011B2 /01/ /0023C /28/ /0001 /28/ /0002





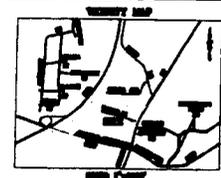




SUBJECT OF CONCEPTUAL/  
FINAL DEVELOPMENT PLAN  
AMENDMENT

EXISTING WAREHOUSES

SUBJECT OF CONCEPTUAL/  
FINAL DEVELOPMENT PLAN  
AMENDMENT



FUTURE INTERPARCEL ACCESS TO  
INDUSTRIAL PROPERTY (BY OTHERS)

METRO  
STATION

EXISTING RAILROAD TRACKS

CHURCH  
USE

NOT INCLUDED IN APPLICATION

EXISTING SINGLE FAMILY DETACHED RESIDENTIAL

PLANOVA - SPRINGFIELD PARKWAY

SHOPPING CENTER

EXISTING TOWNHOUSE  
RESIDENTIAL

**LEGEND:**

- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED SHADE/STREET TREE
- PROPOSED ORNAMENTAL TREE
- PROPOSED EVERGREEN TREE
- PROPOSED SIDEWALKS
- PROPOSED LIMITS OF CLEARING AND GRADING
- POSSIBLE TREE SAVE
- EXISTING PLANNED BICYCLE/TYPE 1 (ASPHALT TRAIL) AS DEPICTED ON THE FAIRFAX COUNTY TRAILS PLAN.

EXISTING SINGLE FAMILY  
DETACHED RESIDENTIAL

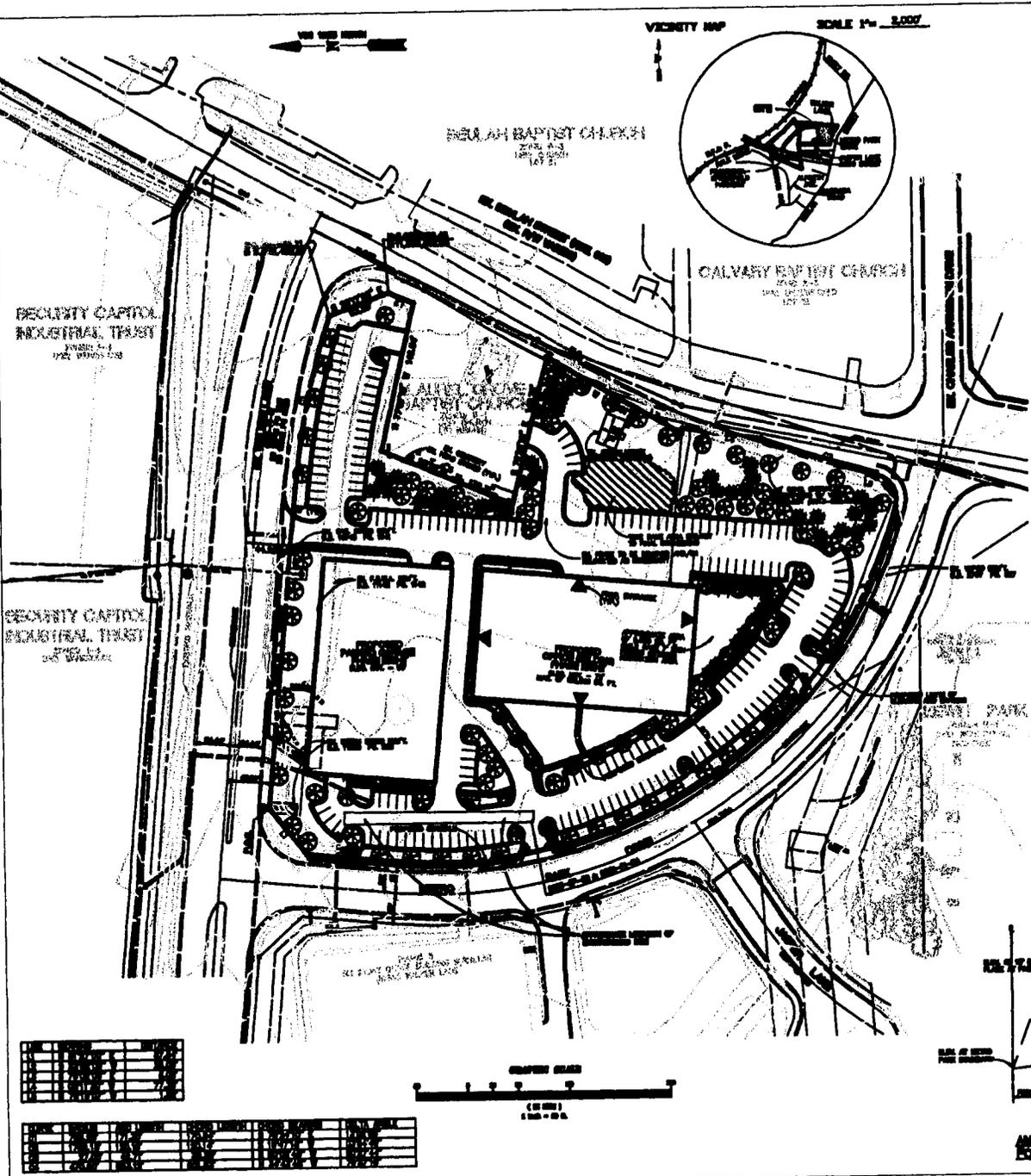
1. THE STREETSCAPE ALONG WALKER LAKE WILL BE  
CONSISTENT WITH PROFFER §11.

**THE ENGINEERING FIRM**  
LINDSAY & BROWN  
1200 OFFICE PLACE, SUITE 100  
FAIRFAX, VIRGINIA 22031  
703-478-0888 703-478-7788 (FAX)

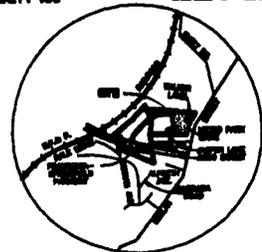
PROPOSED CONCEPT AMENDMENT CEM/TRA  
**METRO PARK**



DATE	JULY 2008
SCALE	1" = 100'
DRAWN BY	...
CHECKED BY	...
DATE	...
SCALE	...
DRAWN BY	...
CHECKED BY	...
DATE	...



SCALE 1" = 200'



PLANT KEY	
	12" TREE
	6" TREE
	SHRUB

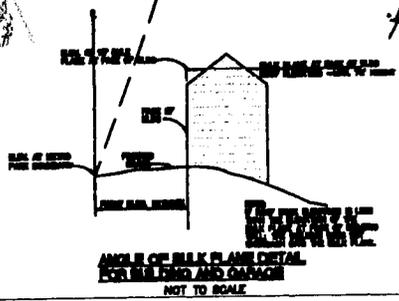
**NOTES**  
 1. THIS PLAN IS TO BE PLANNED A SERIES OF 17 BIRD NESTS THROUGHOUT THE SITE.  
 2. THE SCHEDULING ALONG WITH THIS PLAN WILL BE COMPLETED WITH PROPERTY OF...

GENERAL PLANNING LAY LANDSCAPE	
AREA OF PLANNING LOT	PLANNING LOT
LANDSCAPE PLANNING	LANDSCAPE PLANNING
LANDSCAPE PLANNING	LANDSCAPE PLANNING

TREE COVER CALCULATIONS	
TOTAL TREE COVER	100%
TOTAL TREE COVER	100%
TOTAL TREE COVER	100%

SITE IRRIGATION	
IRRIGATION SYSTEM	IRRIGATION SYSTEM
IRRIGATION SYSTEM	IRRIGATION SYSTEM
IRRIGATION SYSTEM	IRRIGATION SYSTEM

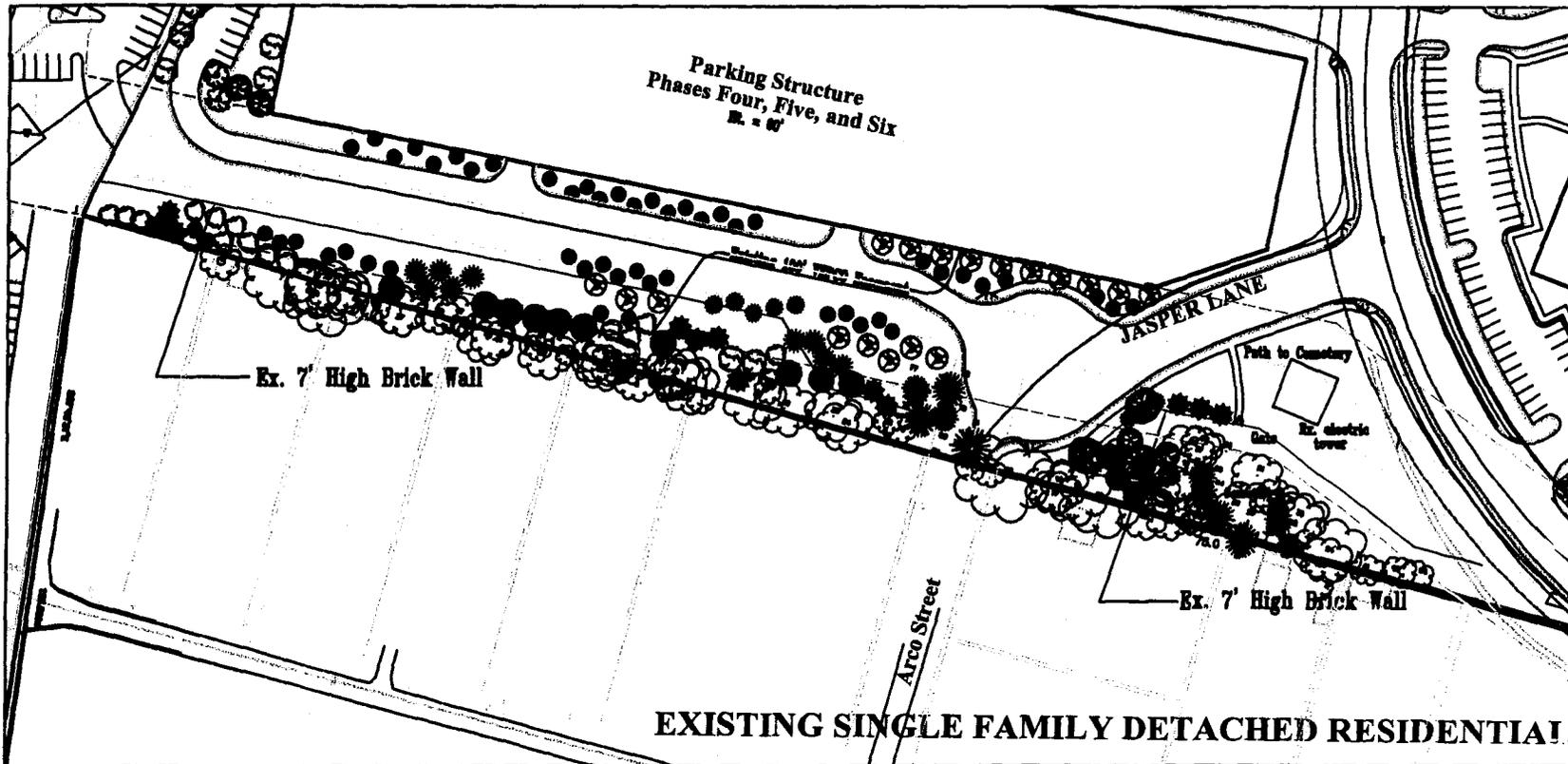
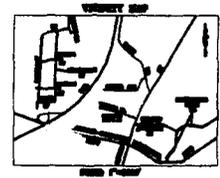
PARKING TIRAMULATION AN OFFICE AND DAY CARE	
OFFICE AND DAY CARE	OFFICE AND DAY CARE
OFFICE AND DAY CARE	OFFICE AND DAY CARE
OFFICE AND DAY CARE	OFFICE AND DAY CARE



**THE ENGINEERING SOURCE, INC.**  
 1000 OFFICE PLACE, SUITE 100  
 WASHINGTON, DC 20004  
 703-690-7700 (FAX)

**METRO PARK**  
 THE MUNICIPALITY OF METRO PARK, OHIO

DATE: 11/11/03  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

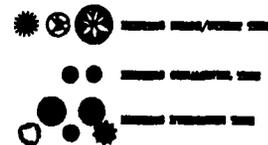


**TREE TABLE**

1 8" OAK	17 15" OAK	33 10" CHERRY	49 18" MAPLE	65 6" LOCUST	81 8" PINE
2 30" OAK	18 24" OAK	34 10" CHERRY	50 15" MAPLE	66 10" LOCUST	82 15" CEDAR
3 30" OAK	19 8" OAK	35 8" CHERRY	51 15" MAPLE	67 18" ELM	83 15" CEDAR
4 12" OAK	20 6" OAK	36 10" CHERRY	52 6" MAPLE	68 12" ELM	84 12" CEDAR
5 15" OAK	21 18" OAK	37 6" CHERRY	53 6" MAPLE	69 15" POPLAR	85 12" CEDAR
6 10" OAK	22 8" OAK	38 12" CHERRY	54 18" MAPLE	70 6" POPLAR	86 8" CEDAR
7 8" OAK	23 15" OAK	39 24" CHERRY	55 8" HOLLY	71 24" POPLAR	87 15" CEDAR
8 12" OAK	24 30" OAK	40 24" CHERRY	56 6" HOLLY	72 6" GUM	88 15" CEDAR
9 15" OAK	25 24" CHERRY	41 10" CHERRY	57 6" HOLLY	73 6" GUM	89 15" CEDAR
10 8" OAK	26 20" CHERRY	42 10" CHERRY	58 6" HOLLY	74 8" GUM	90 8" ASH
11 18" OAK	27 27" CHERRY	43 12" APPLE	59 8" HOLLY	75 10" GUM	
12 8" OAK	28 15" CHERRY	44 8" MAPLE	60 6" HOLLY	76 8" PINE	
13 18" OAK	29 8" CHERRY	45 8" MAPLE	61 15" HOLLY	77 8" PINE	
14 6" OAK	30 18" CHERRY	46 18" MAPLE	62 8" HOLLY	78 8" PINE	
15 48" OAK	31 20" CHERRY	47 18" MAPLE	63 6" LOCUST	79 6" PINE	
16 20" OAK	32 12" CHERRY	48 15" MAPLE	64 8" LOCUST	80 6" PINE	

Note: All trees with the exception of #78, #79, & #81 will be saved.

**LEGEND:**



**THE ENGINEERING GROUP, INC.**  
 1500 OLYMPIA BLVD., SUITE 200  
 SEASIDE, WISCONSIN 53084  
 TEL: 414-481-1111 FAX: 414-481-1112

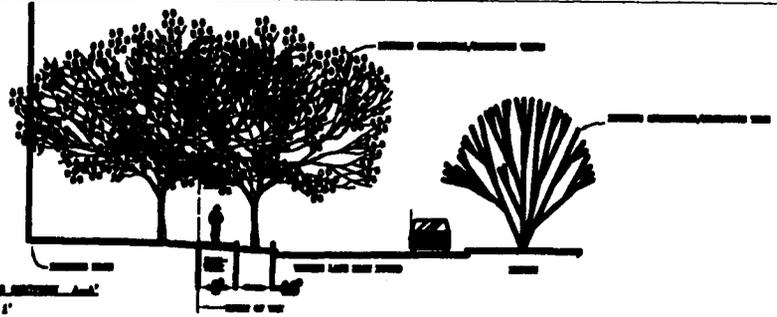
**METRO PARK**

SHEET 4 OF 8

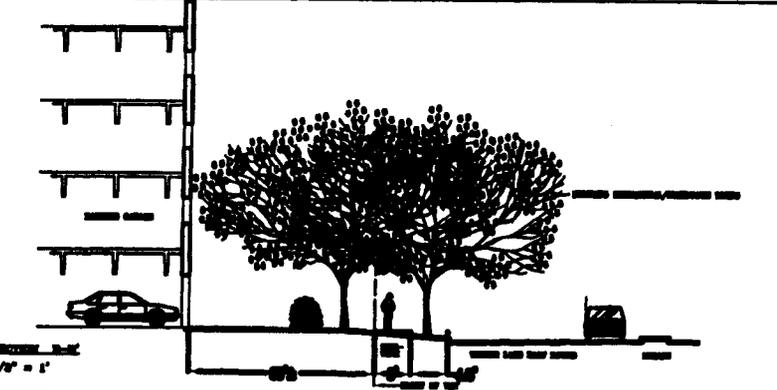
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 SCALE: 1" = 40'  
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 CHECKED BY: [Signature]



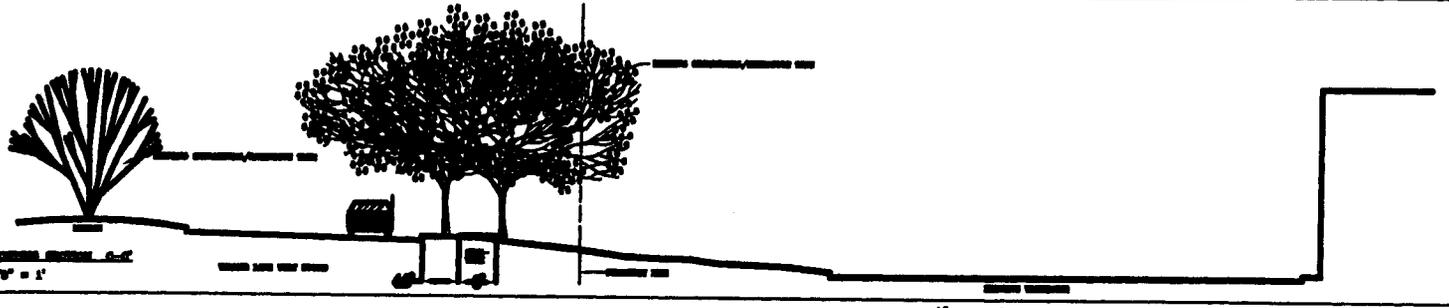
SECTION A-A'  
1/8" = 1'



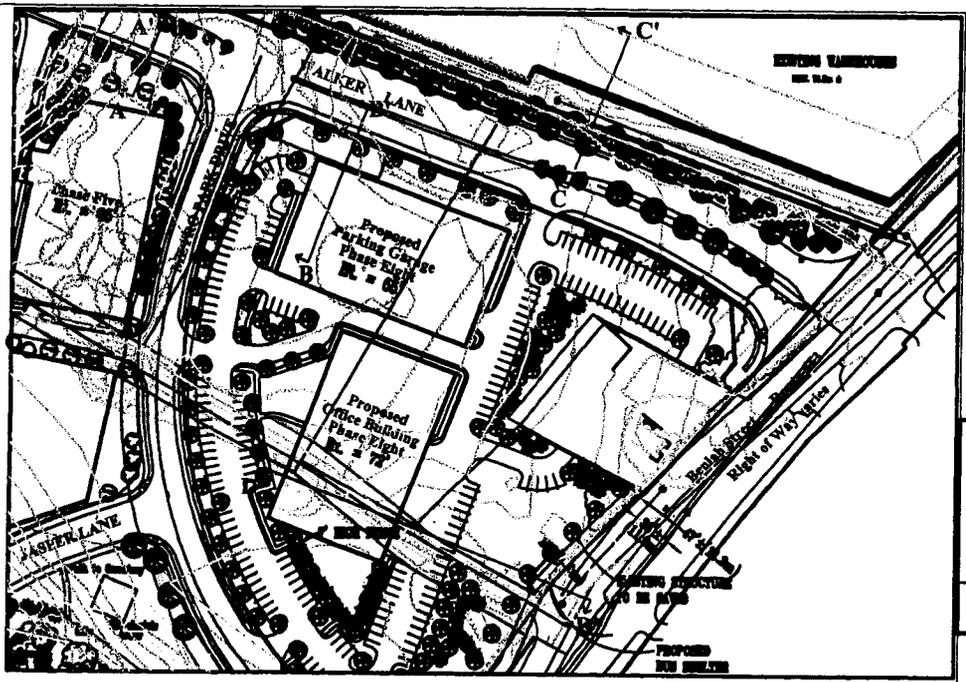
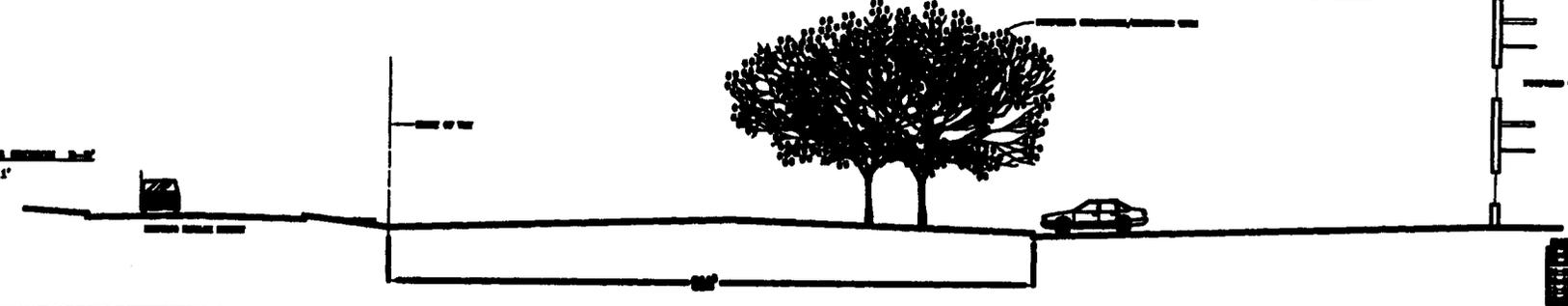
SECTION B-B'  
1/8" = 1'



SECTION C-C'  
1/8" = 1'



SECTION D-D'  
1/8" = 1'



THE  
ENGINEERING  
GROUP, INC.  
1000 OFFICE PLAZA, SUITE 100  
DALLAS, TEXAS 75201  
714-428-4888 714-428-7788 (FAX)

DATE	10/10/00
SCALE	AS SHOWN
COUNTY NUMBER	

CONTRACT NUMBER  
**METRO PARK**  
1000 OFFICE PLAZA, SUITE 100  
DALLAS, TEXAS 75201



NO.	DATE	BY	REVISION
1	10/10/00	JL	ISSUED FOR PERMIT
2	10/10/00	JL	REVISED PER COMMENTS
3	10/10/00	JL	REVISED PER COMMENTS
4	10/10/00	JL	REVISED PER COMMENTS
5	10/10/00	JL	REVISED PER COMMENTS
6	10/10/00	JL	REVISED PER COMMENTS
7	10/10/00	JL	REVISED PER COMMENTS
8	10/10/00	JL	REVISED PER COMMENTS
9	10/10/00	JL	REVISED PER COMMENTS
10	10/10/00	JL	REVISED PER COMMENTS



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

**DESCRIPTION OF THE APPLICATION**

The application property is a 29.23 acre portion of the 37.17 acres of land originally rezoned pursuant to RZ 1998-LE-048. The current application property includes the areas that have not been dedicated as parkland (located on the south side of the Franconia-Springfield Parkway) and as rights-of-way (Walker Lane, Metro Park Drive and Jasper Lane and areas along Beulah Street).

The applicant, MPW, LLC., is requesting approval of a proffered conditioned amendment and final development plan amendment that would primarily affect the easternmost portion of the office park known as Metro Park, which is approximately 6 acres in size and is located between Beulah Street (east), Metro Park Drive (west and south) and Walker Lane (north). The primary purpose of the applications is to amend the proffers and the proffered combined Conceptual Development Plan/Final Development Plan (CDP/FDP) to allow a change to the easternmost portion of Metro Park to permit the previously approved hotel/retail building and freestanding child care center to be replaced with a single building (120,000 sq. ft.) with offices and a child care center (up to 10,000 sq. ft.) located within the building. The maximum enrollment of the child care center is proposed to increase from 99 to 150 children. The remainder of Metro Park would remain unchanged except the permitted height of the parking structure for the buildings identified as Phase 4, Phase 5 and Phase 6 respectively would be increased to 60 feet.

A reduced copy of the proposed combined Conceptual/Final Development Plan Amendment (CDPA/FDPA) is included in the front of this report. The applicant's draft proffers are included as Appendix 1. The applicant's affidavit is Appendix 2 and the applicant's statements regarding the application are included as Appendix 3.

All applications that proposed to establish or amend an established P-District are subject to the general and district standards found in Part 1 of Article 16, Development Plans among other provisions of the Zoning Ordinance. The relevant standards are contained in the Excerpts from the Zoning Ordinance found in Appendix 14.

**LOCATION AND CHARACTER**

Metro Park is located on the north side of the Franconia – Springfield Parkway. It is east of the CSX railroad tracks and Metrorail tracks that cross the Parkway from north to south. The eastern boundary is formed by Beulah Street. Metro Park is currently under construction, with two office buildings being completed and occupied (identified as Phase Two and Phase Three). A third building (identified as Phase Four) has been erected but is not occupied. Access to the development is provided via Walker Lane,

which intersects Beulah Street, opposite the Calvary Road Baptist Church and continues through Metro Park and turns south to intersect the Franconia – Springfield Parkway. The building identified on the CDPA/FDPA as “West Office Building” is not included in the Metro Park rezoning. It is a medical office building that includes an emergency care clinic. The “West Office Building” is located north of the Franconia – Springfield Parkway and between Walker Lane and Lewin Park.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan Map</b>
<b>North</b>	Warehouses	I-4	Industrial
<b>South</b>	Lewin Park	R-1	1-2 du/ac
	Windsor Estates*	R-1	1-2 du/ac
	Parkland dedicated Pursuant to the Metro Park proffers*	R-1	1-2 du/ac
*Located across the Franconia-Springfield Parkway			
<b>East</b>	Laurel Grove Church	R-1	1-2 du/ac
	Calvary Road Baptist Church*	R-3	Institutional
	Inova Office Building	I-4	1-2 du/ac
*Located across Beulah Street			
<b>West</b>	Metro/Railroad Tracks and Wetlands Associated with the Joe Alexander Transportation Center	R-1	Railroad Tracks & Public Facilities

**BACKGROUND**

RZ 1998-LE-048 was approved by the Board of Supervisors on August 2, 1999, subject to proffers. This action rezoned approximately 37.17 acres to the Planned Development Commercial (PDC) District. The intensity of Metro Park was approved at a FAR of 0.62 as calculated on 40.88 acres, which included the portions of Walker Lane that had been previously dedicated to the County subject to the reservation of density credit. The Board also approved the Conceptual Development Plan. The Planning Commission also approved the associated Final Development Plan, FDP 1998-LE-048. The approval allowed a total of 1,088,600 square feet of development including 960,400 square feet of office space, 18,800 square feet of retail, 102,200 square feet of hotel suites and a child care center with 7,200 square feet. The proffer commitments included the dedication of approximately 6.44 acres of land located south of the Parkway to the County for park purposes; this land has been dedicated to the County. The development program included six buildings with primarily office uses, one building with retail on the first floor and hotel suites above and the child care center in a separate building. The latter two buildings are in the easternmost portion of Metro Park, the area that is proposed to be changed by this application.

PCA 1998-LE-048 and FDPA 1998-LE-048-1 affected a 1.66 acre portion of Metro Place located in the western end and immediately north of the Franconia – Springfield Parkway. This approval increased the height of the office building then identified as North Office Building A from fifty (50) feet to fifty-five (55) feet without changing the gross floor area (GFA) within that building, 78,000 square feet. This building is now identified as Phase Seven. No other changes to Metro Park were proposed with these two applications.

The background documentation regarding these approvals is contained in Appendices 4 through 6.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 7)**

<b>Plan Area:</b>	IV
<b>Planning District:</b>	Springfield
<b>Planning Sector:</b>	Beulah Community Planning Sector (S9)

The 1.66-acre property is located in the Beulah Community Planning Sector (S9) of the Springfield Planning District in Area IV. An assessment of the proposal for conformance with the land use recommendations of the Comprehensive Plan should be guided by the following citations from the Comprehensive Plan which includes the text associated with Plan Amendment 02-IV-08.

1. The area of approximately 64 acres generally located in the northwest quadrant of Franconia-Springfield Parkway and Beulah Street consists of an older residential neighborhood and land zoned for industrial use (I-4 and I-5). Access to the industrial area is available only through the residential neighborhood due to a limited access easement along the Franconia-Springfield Parkway. This area is located in close proximity to the Joe Alexander Transportation Center. Given the unique characteristics of the site, additional planning objectives for this area are to resolve the issue of land use compatibility and promote transit oriented development at this location. The area is divided into Land Units A, B, and C as depicted on Figure 46.

**LAND UNIT A**

At the baseline, Land Unit A, located east of the CSX Railroad tracks, north of the Franconia-Springfield Parkway, and at the terminus of Lewin Drive, is planned for residential use at 3-4 dwelling units per acre or for low-intensity office use up to .25 FAR. In all instances, the portion of the land unit located south of the Franconia Springfield Parkway should be dedicated to the County for open space with the intensity associated with this area shifted to the portion of the land unit north of the Parkway.

Development should provide well-designed interior circulation with no direct vehicular access through the Lewin Park community or to the Parkway. Access from the Parkway for emergency vehicles associated with an urgent care facility and a shuttle bus linking the Metro Station, and a right-in/right-out vehicular connection from Land Unit A to the Parkway may be appropriate provided that such are approved by the Commonwealth Transportation Board and reviewed by the Fairfax County Department of Transportation. Attention should be paid to proper siting of structures to enhance the relationship to the transportation center.

### **LAND UNIT B**

The area north of Lewin Park, west of Beulah Street, and south of the industrial uses along Gravel Avenue is planned for residential use at 3-4 dwelling units per acre at the baseline. If consolidation of all parcels occurs, office or hotel use up to .25 FAR may be appropriate if a buffer, at least 25 feet in width, and a 7-foot brick wall are provided to assist in creating a transition to the residential community to the south. The buffer should contain evergreen trees to provide year round screening.

### **OPTION FOR LAND UNITS A & B**

As an option, office with support retail uses up to .55 FAR and up to 110,000 gross square feet total for office with an option for a child care center may be appropriate, if at least 15 acres of Land Unit A and all of Land Unit B are consolidated to create a mix of uses on the site and provide a transition to development along Beulah Street. To assist in creating the transition, the office and child care uses are envisioned to be located in the eastern portion of Land Unit B near Beulah Street. In addition, the following conditions should be met:

#### **Land Use/Design**

- The development features a coordinated plan under a single application or concurrent applications which provides for high quality and coordinated architecture, streetscape treatment, and signage; efficient, internal vehicular circulation; efficient vehicular access; and usable open space such as urban parks and/or plazas;
- The development demonstrates transit orientation by locating buildings close to the Joe Alexander Transportation Center, by minimizing front yard setbacks along the internal roadway system, and by providing a pedestrian circulation system that interconnects buildings, parking lots and bus shelters, and provides a pedestrian link to the Franconia-Springfield Parkway trail;

- Building height is a maximum of 12 stories, tapering down to a maximum of approximately 60 feet for structures set back 150 feet from Beulah Street and a maximum of 40 feet for structures closer than 150 feet to Beulah Street;
- Retail uses are limited to support uses, such as dry cleaners and restaurants, that are functionally integrated within other buildings;
- The portion of Land Unit A located south of the Franconia-Springfield Parkway is dedicated to the County for open space. The development potential may be transferred to the area north of the Parkway;
- Until such time as Land Unit C redevelops with non-residential uses, a minimum 25-foot vegetated buffer and a 7-foot brick wall are provided to assist in creating a transition to the existing residential community. The buffer should contain evergreen trees to provide year round screening. See additional text under "Transportation/Access" for guidance pertaining to the possible conversion of the buffer to a road under certain conditions;
- Parking structures are well landscaped with trees and shrubs in order to provide a buffer to the surrounding office and hotel uses and Lewin Park;
- The existing family cemetery should be preserved and access provided;
- Site lighting is located, directed, and designed to reduce glare and minimize impact onto the adjacent residential property;

### **Transportation/Access**

- Access from the Parkway for emergency vehicles associated with an urgent care facility and a shuttle bus linking the Metro Station, and a right-in/right-out vehicular connection from Land Unit A to the Parkway may be appropriate provided that such are approved by the Commonwealth Transportation Board and reviewed by the Fairfax County Department of Transportation;
- Shuttle bus service and pedestrian access are provided to the Joe Alexander Transportation Center with the initial phase of development;
- Provision should be made to accommodate a future connection for pedestrian and shuttle bus access to the Joe Alexander Transportation Center from a point within Land Unit A via a bridge over the CSX and Metrorail tracks;
- To encourage transit use, the amount of parking should be minimized to the extent feasible;
- Access is provided from Land Unit C through Land Unit B to Beulah Street;

- If Land Unit C has redeveloped for non-residential use, a road to serve the redeveloped area should be provided in lieu of the 25-foot buffer, which is planned to be located north of Land Unit C. However, in the event that 760,000 gross square feet of the approved development in Land Units A (excluding Parcel 11A) and B occur prior to the redevelopment of Land Unit C, this road should be constructed along the northern edge of the 25-foot buffer and the buffer area preserved; and
- A Transportation Demand Management Program (TDM) is put in place which encourages the use of the Joe Alexander Transportation Center as an alternative to single occupant vehicle commuting.

The Comprehensive Plan Map shows this property to be planned for 1-2 du/ac; 3-4 du/ac and public facility along the power line easement.

**ANALYSIS**

**Combined Conceptual/Final Development Plan Amendment (Reduction at front of staff report)**

Title of CDPA/FDPA:	Metro Park
Prepared By:	The Engineering Groupe, Inc.
Original and Revision Dates:	March 2002 as revised through July 8, 2003

<b>Conceptual/Final Development Plan Amendment (Metro Park)</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 9	Cover Sheet with Vicinity Map
2 of 9	Notes and Tabulations
3a of 9	Proffered Condition Amendment
3b of 9	Portion of CDPA/FDPA Affected by this Application
4 of 9	Buffer Area Details*
5 of 9	Existing Vegetation Map*
6 of 9	Cross Sections*
7 of 9	Pedestrian Circulation Plan within Metro Park*
8 of 9	Regional Pedestrian Trail Access*

\* Sheet is unchanged from previous approvals.

The following features are depicted on the proposed combined CDPA/FDPA. Metro Park as a whole will be briefly addressed first and then the area which is

specifically affected by the proposed amendment will be addressed in more detail.

Metro Park

- Site Layout. Metro Park is an office park consisting of seven office buildings. Three of the buildings are located near the western boundary, three more are in the center of the site; and one building is proposed in the east, the end of the project closest to Beulah Street. The building located in the southwestern corner and closest to the Franconia – Springfield Parkway is proposed to be 55 feet in height (identified as Phase Seven) and the two others (identified as Phase Two and Phase Three respectively) along the western boundary are each shown as 80 feet in height. There are three buildings shown in the central portion of the site, the center building (Phase Six) is shown as 145 feet tall and the two flanking buildings are 85 feet tall (Phase Four and Phase Five). The easternmost building (Phase Eight) is shown to be 72 feet in height. (This application proposes to change the Phase Eight portion of the site to include one office building with a child care center in lieu of the previous approval that showed a hotel in one building and a child care center in a separate, free-standing building). Three of the buildings have been constructed; two located near the railroad tracks along the western boundary (identified as Phase Two and Phase Three respectively) and one (Phase Four) in the central portion of the project. Metro Park also includes the Laurel Grove School, a museum depicting a one room schoolhouse. The following chart summarizes the building program for Metro Park as proposed by the pending application.

Metro Park				
Building	Gross Floor Area	Height	Use	Status
Phase 2	130,821 sq. ft.	80 feet	Office	Built
Phase 3	130,821 sq. ft.	80 feet	Office	Built
Phase 4	148,963 sq. ft.	85 feet	Office	Built
Phase 5	148,963 sq. ft.	85 feet	Office	Not Built
Phase 6	317,102 sq. ft.	145 feet	Office	Not Built
Phase 7	78,000 sq. ft.	55 feet	Office	Not Built <sup>1</sup>
Phase 8	120,000 sq. ft.	72 feet	Office and Child Care	Not Built <sup>2</sup>

1. This building was the subject of previously approved PCA 1998-LE-048.  
 2. This building is the subject of the pending applications.

- Vehicular access, pedestrian access, and parking. Metro Park is accessed from Beulah Street via Walker Lane and Metro Park Drive. Beulah Street is currently being improved to a four lane divided section from the Parkway to Franconia Road, which includes the site's frontage. Walker Lane, a four lane divided facility connects to Beulah Street in the

east and to the Parkway in the southwestern portion of the site. Since left turn movements at the Parkway are limited to emergency vehicles, the main access is from Beulah Street. Walker Lane has been constructed and has been accepted into the state system. Metro Park Drive has not been constructed and forms an arc from Walker Lane moving southeast to connect to Beulah Street opposite its intersection with Charles Arrington Drive.

Pedestrian access is provided via sidewalks along Walker Lane around the office buildings, along Metro Park Drive and around the buildings. This sidewalk connects to the trail along the Parkway and will connect to the pedestrian facilities along improved Beulah Street. One of the two previously proffered bus shelters has been constructed, the one on Walker Lane; a second will be provided on Beulah Street.

Parking in the western portion of the site is provided in surface lots, with some parking under the buildings. In the central portion of the site, parking will be provided in a sixty foot tall parking structure serving all three of those buildings; this parking garage will be approximately 700 feet in length. A small amount of surface parking is shown in front of these buildings. Parking in the eastern portion of Metro Park is proposed to be changed to be provided in a fifty-five foot tall parking structure on Walker Lane and in surface lots around the Phase Eight building.

This application does not affect the overall vehicular access and pedestrian access to Metro Park. The entrance locations into the area affected by the application remain the same; however, the internal layout of the sidewalks and travel aisles has been changed to reflect the revised layout proposed by this application. As noted above, the application also proposes to add a parking garage within the affected part of Metro Park.

- Open space, EQC, and tree save. Within Metro Park 4.44 acres of open space are planned, consisting primarily of open space around the buildings, a plaza in the central portion of the site and a buffer strip along the southern boundary abutting Lewin Park. Tree preservation was included along the boundary with Lewin Park. Lewin Park, an older residential community, is buffered by a seven foot tall brick wall, the preserved trees and additional plantings. The general configuration of the open space areas in Metro Park are unaffected by this application, with the notable exception of the eastern portion of Metro Park that is proposed to be change by this application. However, the revised layout in the eastern portion of Metro Park includes an open space area along Beulah Street that is approximately 150 feet in depth, except where the existing school house and its associated parking are located.
- Architecture: The pending application does not propose to change the current proffered commitments with regard to architecture. Proffer

Number 13 states that the architecture will be consistent with Exhibit C attached to the proffers and that the building elevation design for all buildings to be built in the future shall be returned to the Planning Commission for administrative review for conformance with the standards established in Proffer Number 13.

### Eastern Portion of Metro Park

The pending application proposes to alter the layout within the easternmost portion of Metro Park (Sheet 3B of the CDPA/FDPA shows this area in detail), which is bounded by Metro Park Drive on the west and south, Beulah Street on the east and Walker Lane on the north. This portion of the property abuts the existing Laurel Grove Baptist Church on three sides. The fourth side of the church property is Beulah Street. This area is currently undeveloped with the exception of the existing one-room school house that has been converted to a museum. The proffered CDP/FDP accepted with the approval of RZ 1998-LE-048 showed this area to be developed with a hotel use and specialty retail located in one 120,000 square foot building and a 10,000 square foot child care center in a separate building.

- Proposed Layout: The proposed 120,000 square foot building fronts onto Metro Park Drive and is roughly centered on the intersection of Metro Park Drive and Jasper Lane. The seventy-two foot tall building is set back sixty-one feet from Metro Park Drive at its closest point and 150 feet from Beulah Street. The building would be primarily office, although a child care center could occupy up to 10,000 square feet. The proposed child care center is to be located within the office building. A 5,000 square foot play area for the child care center would be located on the eastern side of the building. It is to be fenced with a seven foot tall fence, which is proffered to meet noise attenuation standards. A separate parking garage (55 feet in height) is proposed to be located along Walker Lane, near its intersection with Metro Park Drive. The parking garage will be set back thirty feet from Walker Lane and approximately seventy-seven feet from Metro Park Drive.
- Vehicle Access, Parking and Pedestrian Access: All access to this portion of Metro Park is from Walker Lane and Metro Park Drive; vehicular access to Beulah Street is not proposed. While most of the parking will be located in the proposed parking garage; surface parking is also shown. Pursuant to the proffers, the surface parking near the Laurel Grove Baptist Church may be used by the church for overflow parking. There is surface parking included in front of the proposed office building and behind the office building. Pedestrian access to the site is provided by the sidewalks and trails along the streets that abut this section. In addition, sidewalks are shown within the site to provide access between the parking garage and the office building.

- Landscaping: The typical streetscape within Metro Park, which consists of trees set at 50 foot on center, located between the sidewalks and the adjacent parking spaces and parking garage is to be planted in the area affected by this application. The streetscape is not shown on the CDPA/FDP along Beulah Street. The internal parking lot landscaping consists of deciduous and trees planted within the islands throughout the surface parking lots. Additional landscaping is provided as screening around the Laurel Grove Baptist Church and at the corner of Metro Park Drive and Beulah Street. Additional landscaping is shown between the office building and Beulah Street.
- Stormwater Management: Stormwater management and best management practices are to be provided in an underground facility to be constructed between the proposed parking structure and Metro Park Drive. The underground facility is located within an area to be paved as a travel way.

#### **Land Use Analysis (Appendix 7)**

The application property is located in Beulah Community Planning Sector and is addressed by text that divides a 64-acre portion of this sector into three Land Units, A, B and C. This application has been filed pursuant to the plan text entitled "Option for Land Units A & B", which encompasses the original application property for RZ/FDP 1998-LE-048.

#### **Issue: Intensity**

The recommended intensity for Land Units A & B is for office/support retail at a floor area ratio of 0.55 plus up to 110,000 square feet of office space with an option for a child care center. Based on the original application property and the area for which advance density credit was granted totaling 40.88 acres, the 0.55 FAR recommendation would yield up to 979,403 square feet, which when the additional 110,000 square feet allowed by the Plan text is included results in 1,089,403 square feet at a 0.62 FAR. The revised CDPA/FDPA addressed by this report and referenced by the addendum to the Land Use Analysis proposes to develop 1,075,270 square feet of gross floor area. This intensity is consistent with the recommendations of the Comprehensive Plan.

#### **Resolution:**

This issue has been adequately resolved.

**Issue:** Building Height

The revised CDPA/FDPA proposes to build a seventy-two foot tall building within the area located between Beulah Street and Metro Center Drive. The building is to be located a minimum of 150 feet from the edge of the right-of-way for the Beulah Street project to widen the road to a four lane divided section, including the area along the application property. The Plan text recommends that buildings located within 150 feet of Beulah Street be no more than forty feet tall. The Plan also states that buildings beyond this setback taper from 12 stories in the center of Metro Park to sixty feet tall near Beulah Street.

**Resolution:**

Staff has concluded that the proposed seventy-two foot tall building is consistent with the intent of this recommendation for heights increasing in a graduated fashion from 60 feet at a distance of 150 feet from Beulah Street to 12 stories in the middle of Metro Park. This issue has been adequately addressed.

**Issue:** Landscaping

The proposed CDPA/FDPA includes landscaping similar to that proposed with the original approval. There are several areas where the landscaping could be improved. Staff recommends that additional landscaping be provided in the following areas: streetscape plantings should be provided along Beulah Street to provide a similar streetscape as that within Metro Park; additional landscaping should be provided around but outside the play area for the child care center to provide shade within the play area and to screen the fence; and additional landscaping should be provided around the southwest corner of the building which is shown immediately adjacent to the parking area because that corner of the building juts into the parking lot without screening.

**Resolution:**

This issue has been addressed by the revised combined CDPA/FDPA attached to the front of this report, which now includes the recommended landscaping.

**Issue:** Buffer to the Adjacent Residential Neighborhood – Lewin Park

This application does not propose to change the buffering to be provided along the boundary of Lewin Park, an existing single family detached subdivision. The Plan text includes an option to allow Lewin Park to be developed in manner similar to Metro Park. The buffering includes a seven foot tall brick wall supplemented by an evergreen buffer that is twenty-five feet in depth.

**Resolution:**

This issue has been adequately addressed.

**Issue:** Child Care Center

The child care center will be located within the proposed office building. The CDPA/FDPA does not identify any area as a pick-up and drop-off area to allow parents to park and go inside to drop-off or pick-up their children.

**Resolution:**

This issue is addressed by a proposed proffer that requires that ten parking spaces close to the entrance to the child care center be reserved to facilitate the drop-off and pick-up of children.

**Transportation Analysis (Appendix 8)****Issue:** Impact of the Proposed Change in Use on Trip Generation

The proposed change in use to office generates more peak hour trips than the previously approved hotel and specialty retail uses. At the request of the Fairfax County Department of Transportation, the applicant had a traffic study prepared that demonstrated that the affected intersections would not be adversely affected by the proposed change in use.

**Resolution:**

This issue has been adequately addressed.

**Environmental Analysis (Appendix 9)****Issue:** Water Quality Best Management Practices

The environmental analysis notes that best management practices (BMPs) should be revised to address any additional impervious area that may result from the proposed change to the layout of this portion of Metro Park. This portion of Metro Park has not been developed and has previously been cleared. The note referenced in the analysis states:

Stormwater detention/best management practices (SWM/BMPs) will be provided in accordance with Fairfax County Ordinances unless modified by waiver. At this time, it is anticipated that the SWM/BMP requirements for the property will be satisfied by underground and surface facilities as generally delineated on the CDPA/FDPA.

As part of the site plan review process, the applicant will be required to demonstrate the project meets the applicable Public Facilities Manual requirements regarding best management practices including a determination as to whether or not any modifications are required to the project wide SWM/BMPs (if any) because the amount of impervious surfaces has increased beyond that assumed as part of the design of the project wide SWM/BMPs.

**Resolution:**

This issue will be addressed as part of the site plan review process.

**Issue:** Highway Noise

The highway noise analysis previously performed for Beulah Street identified the following projected noise contours:

65 dBA $L_{dn}$	186 feet from centerline
70 dBA L	86 feet from centerline

The outdoor play area is within 150 feet of the edge of the right-of-way and is at the edge of the area projected to be affected by noise above 65 dBA  $L_{dn}$ . Staff recommends that the play area be provided with noise mitigation measures. The CDPA/FDPA shows that the play area will be screened by a seven foot tall fence. The accepted proffers associated with the approval of RZ 1998-LE-048 state that an acoustically solid fence shall be provided around all side of the outside play area for the child care center (see Proffer Number 18 in Appendix 5). This proffer will not be affected by this proposal

**Resolution:**

This issue has been adequately addressed.

**Issue:** Lighting

The CDPA/FDPA does not include details regarding the lighting proposed on the property. This issue was addressed by the original approval which includes a proffer that states that the lighting on the property shall be designed generally in accord with the recommendations of the International Dark-Sky Association (see Proffer Number 10 in Appendix 5).

**Resolution:**

This issue has been adequately addressed.

**Public Facilities Analysis (Appendices 10-13)**

Park Authority Analysis (Appendix 10)

The Park Authority has concluded that the pending application results in no adverse impact on park facilities.

Sanitary Sewer Analysis (Appendix 11)

The property is located in the Accotink Creek (M6) watershed and would be sewered into the Noman M. Cole, Jr. Treatment Plant. The existing 8 Inch line located in an easement on the property is adequate for the proposed use at this time. There appears to be adequate capacity for the proposed development at this time when existing uses and proposed development recommended by the Comprehensive Plan are taken into account.

Fire and Rescue Department Analysis (Appendix 12)

This property is serviced by Station #05, Franconia. This service currently meets fire protection guidelines.

Water Service Analysis (Appendix 13)

The property is located in the service area of the Fairfax County Water Authority. The nearest adequate water mains available to provide service include an existing 12-inch main located at the property. Depending on the configuration of the onsite water mains, additional water main extensions may be necessary.

**ZONING ORDINANCE PROVISIONS (Appendix 14)**

<b>Bulk Standards (PDC District)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Min. Dist. Size	Yield > 100,000 sq. ft GFA	1.075 million sq. ft. GFA
Lot Width	No Requirement	N/A
Building Height	See Note <sup>1</sup>	55 to 145 feet
Front Yard	See Note <sup>2</sup>	N/A
Side Yard	See Note <sup>2</sup>	N/A
Rear Yard	See Note <sup>2</sup>	N/A
Floor Area Ratio (FAR)	2.0	0.62 <sup>3</sup>
Open Space	15 percent	15 percent
Parking Spaces	1,449 spaces	1,898 spaces

1. Per Par. 1 of Sect. 6-208, building height is controlled by the provisions of Part 1 of Article 16, which provide General and Design Standards for the review of P-Districts. See chart in Description of the Application section for the heights of individual buildings.
2. Per Par. 2 of Sect. 6-208, yards are controlled by the provisions of Part 1 of Article 16, which provide General and Design Standards for the review of all P-Districts.
3. This Floor Area Ratio figure is based on the 40.88 acres used to determine density at the time of the original rezoning, which included the 37.17 application property and 3.71 acres of density credit for land previously dedicated as the right-of-way for Walker Lane.

### **Transitional Screening and Barriers**

Metro Park abuts Lewin Park, a residential neighborhood in the R-3 District to the south. However, it should be noted that the area to be changed by this application does not abut Lewin Park. The transitional screening and barrier proffered at the time of the original approval is not proposed to be changed with this application. The buffering includes a seven foot tall brick wall supplemented by an evergreen buffer that is twenty-five feet in depth. The applicant is requesting that the previously approved modifications to the screening and barrier requirements on this boundary be reaffirmed. Staff concurs with this request. In addition, when a public street connection is provided to Arco Drive, the areas of Metro Park fronting on that roadway will become front yards, a variance pursuant to the provisions of Par. 8 of Sect. 16-401, is required to allow the seven foot tall wall to be located in a front yard. A seven foot tall wall is allowed in a rear or side yard (Par. 3C of Sect. 10-104). Staff has concluded that approval of this variance is also appropriate.

With regard to the Laurel Grove Baptist Church, Barrier H, consisting of six foot tall trees fifty feet on center, is required. The landscaping shown on the CDPA/FDPA in this area exceeds this requirement. Transitional screening is not required where an office use abuts a church.

Within the area specifically affected by this application a museum and a child care center are included. Article 13, Landscaping and Screening, does not require that transitional screening or a barrier be provided for the museum use; however, a twenty-five foot wide transitional screening yard (Yard 1) and a barrier are required between a child care center and an office building. As noted above, the child care center is to be located in the office building. Par. 1 of Sect. 13-304 allows a waiver of the transitional screening yard and barrier requirements when the uses are shown on a common development plan in the PDC District. Staff has concluded that these waivers are appropriate in this instance.

### **Other Zoning Ordinance Requirements:**

Standards for all Planned Developments (Sect. 16-100)

Sect. 16-101 contains six general standards that must be met by a planned development. Sect. 16-102 contains three design standards to which all

Conceptual and Final Development Plans are subject. The standards are contained in Appendix 14. Par. 1 of the Sect. 16-102 states that the proposed yards along the periphery of the P-District should generally conform with the most similar conventional zoning district, which in this instance is the C-3 District. Within the easternmost portion of Metro Park, which is the area proposed to be changed by this application, the proposed building is set back 150 from Beulah Street and is at least eighty feet from the property line for the Laurel Grove Baptist Church. The front yard setback in the C- District is a twenty-five degree angle of bulk plane but not less than forty feet and the rear yard setback is twenty degree angle of bulk plane; but not less than 25 feet, both of these standards have been met within the portion of Metro Park that is specifically affected by this application. The proposed amendment does not adversely affect the conformance of Metro Park with these standards as established with the original approval.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

This application proposes to change the layout and uses within the easternmost portion of Metro Park by changing the previously approved hotel and retail uses to office space and incorporating the child care center into the office building. Further, as noted in the discussion regarding the applicable Zoning Ordinance provisions, the application provides appropriate buffering to the adjacent uses and continues to meet the standards that are applicable to all P-Districts.

### **Recommendation**

Staff recommends approval of PCA 1998-LE-048-2 subject to the execution of the draft proffers contained in Appendix 1 and approval of the Conceptual Development Plan Amendment.

Staff further recommends that the Final Development Plan Amendment be approved by the Planning Commission.

Staff further recommends that the transitional screening yard requirement be modified along the southern and eastern boundaries and that the barrier requirement be modified along the southern and eastern boundaries and within Metro Park in favor of that shown on the Conceptual/Final Development Plan Amendment and referenced in the proffers and/or development conditions.

Staff further recommends that the Board of Supervisors grant a variance pursuant to Sect. 16-401 of the Zoning Ordinance to allow a seven foot tall wall in a front yard with regard to the proffered fence along the southern boundary.

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

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

## **APPENDICES**

1. Draft Proffer Statement
2. Affidavit
3. Applicant's Statements
4. Clerk to the Board's letter regarding RZ 1998-LE-048 and the Accepted Proffers
5. Reduction of the Proffered Conceptual/Final Development Plan for RZ 1998-LE-048
6. Clerk to the Board's letter regarding PCA 1998-LE-048
7. Plan Citations and Land Use Analysis
8. Transportation Analysis
9. Environmental Analysis
10. Park Authority Comments
11. Sanitary Sewer Analysis
12. Fire and Rescue Analysis
13. Water Service Analysis
14. Selected Excerpts from the Zoning Ordinance
15. Glossary of Terms

## PROFFER CONDITION AMENDMENT

### METRO PARK

#### PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2

Date: \_\_\_\_\_

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this Proffer Condition Amendment application hereby reaffirm that the development of the parcels under consideration are now shown on the Fairfax County Tax Maps as Tax Map Reference Nos. as 91-1-((1))-23C and 11-B2 and Tax Map Reference 91-1-((28))-1 and 2 (hereinafter referred to collectively as the "Property") and will be in accordance with the proffered conditions accepted by the Board of Supervisors in the approval of RZ/FDP 1998-LE-048 dated July 30, 1999, and the undated proffers accepted in PCA 1998-LE-048 and FDPA 1998-LE-048, except as qualified below. In the event this application is denied, these proffers shall be null and void. The Owners and the Applicant (hereinafter the "Applicant"), for themselves, their successors and assigns, reaffirms all previous proffers except as specifically modified herein and agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Applicant hereby amends the approved CDPA/FDPA and makes the additions and/or revisions to the proffered conditions accepted in RZ 1998-LE-048 and PCA/FDPA 1998-LE-048 and are listed below.

**The second paragraph of the July 30, 1999 proffers, which was amended by the third paragraph of the undated Partial Proffered Condition Amendment accepted pursuant to PCA 1998-LE-048 and FDPA 1998-LE-048, are both deleted, and the following substituted:**

1.—The Applicant agrees that the development will be in substantial conformance with the submitted CDPA/FDPA/PCA dated March 2002 and revised through June 11, \_\_, 2003 (the "Plan"). Subject to the proffers and the provisions of Sections 18-204 and 16-403 of the Zoning Ordinance, the Applicant reserves the right to make minor modifications to the approved development plan in order to address engineering and architectural issues at the time of final site plan approval.

**1. Proffer numbered 1, dated July 30, 1999, is hereby reaffirmed.**

2. **Proffer numbered 2, dated July 30, 1999, is hereby deleted and the following substituted:**

**[Proffer 2]** The Property will be developed at a floor ratio (FAR) not to exceed 0.60 for office uses. The combined FAR for all uses as shown on the Plan and as defined below shall not exceed 0.62. Office uses shall not exceed 1,075,270 gross floor area (GFA), and the child care use shall not exceed 10,000 GFA. The maximum daily enrollment of the child care center shall not exceed 150. **The total FAR of .62 includes density credit for dedication of right of way and Parcel 11C as set forth in Proffer #1 dated July 30, 1999.**

3. **Proffer numbered 3, dated July 30, 1999, is hereby deleted and the following substituted:**

**[Proffer 3]** Accessory uses shall be permitted within the office buildings as said term is defined in Section 20-300 of the Zoning Ordinance. In addition to the uses shown for each of the buildings, Applicant may establish all, any, or any other combination of the uses set forth in Note 5 on the Plan. ~~Any secondary retail uses located within office uses shall not reduce the 18,800 gross floor area of permitted specialty retail uses.~~

4. **Proffers numbered 4 through 11, both inclusive, are hereby reaffirmed.**

5. **Proffer numbered 12, originally dated July 30, 1999, and amended in the Partial Proffered Condition Amendment accepted pursuant to PCA 1998-LE-048 and FDPA 1998-LE-048, is hereby deleted and the following substituted:**

**[Proffer 12]** Buildings shall not exceed the height shown on the Plan except that the building identified as Phase 7 shall not exceed 55 feet as shown on the Plan. (Provided, however, the calculation of building height shall exclude parapet walls and all other structures specified in Section 2-506 of the Zoning Ordinance). The height of the parking structures shall not exceed 60 feet.

6. **Proffers numbered 13 through 34, both inclusive, are hereby reaffirmed.**

**7. Proffer numbered 35, subsections (1) through (4), originally dated July 30, 1999, is hereby reaffirmed. Subsection (5) of proffer 35 is hereby deleted and the following substituted:**

**5. [Proffer 35(5)]** Upon achieving a total occupancy level on the Property of **1,105,270**, **1,075,270** GFA of development (as evidenced by the issuance of Non-RUPS), the Applicant or assigns shall cause a traffic study to be undertaken to assess the accuracy of the total peak hour vehicle trip generation projections for the property based upon the ITE Trip Rates used to generate the estimated volume counts contained on Table 2 of the Traffic Impact Study prepared by Wells & Associates dated May 5, 1999. The study shall be submitted to the Fairfax County Department of Transportation.

**8. Proffer numbered 36 is hereby reaffirmed.**

**With approval of PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2, the following new proffers are hereby added and numbered sequentially with the previously accepted proffers dated July 30, 1999:**

**37. An acoustically solid fence as shown on the CDPA/FDPA shall be provided around all sides of the outside play area for the child care center.**

**38. A minimum of ten parking spaces that are the closest to the entrance of the child care center shall be reserved for use by the child care center, so as to facilitate drop off and pick up of the children. Signs that state that the spaces are reserved shall be provided. The staff of the child care center shall be prohibited from parking in these spaces.**

**39. The number of children in the play area at any one time shall not exceed 50. This proffer does not limit the daily enrollment of the child care center. Proffer #2 addresses daily enrollment.**

[SIGNATURE PAGES ATTACHED]

OWNER OF FAIRFAX COUNTY TAX  
MAP: 91-1-((1))-23C

MPW LLC, a Virginia limited liability  
company

By: \_\_\_\_\_  
B. Mark Fried, Member

OWNER OF FAIRFAX COUNTY TAX  
MAP: 91-1-((1))-1, 2, and 11-B2

MPE LLC, a Virginia limited liability  
company

By: \_\_\_\_\_  
B. Mark Fried, Member

\\REA\133572-3\133572.4

RE :

**REZONING AFFIDAVIT**

DATE: MAY 7 2003  
 (enter date affidavit is notarized)

Carson L. Fifer, Jr., Esquire, Agent for Applicant

I, \_\_\_\_\_, 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            2002-1326  
                           PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2

in Application No.(s): \_\_\_\_\_  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
MPW LLC Agent: Charles J. Kieler	6551 Loisdale Court, Suite 900 Springfield, Virginia 22150	Applicant/Agent/Title Owner TM 91-1((1))-23C
McGuireWoods LLP Agent: Carson L. Fifer, Jr., Esq. Gregory A. Riegle, Esq. Molly E. Harbin Sheri L. Hoy	1750 Tysons Boulevard, Suite 1800 McLean, Virginia 22102	Attorney/Agent Attorney/Agent Planner/Agent (former) Planner/Agent
The Engineering Groupe, Inc. Agent: B. Stanley Orndorff	13625 Office Place, Suite 101 Woodbridge, Virginia 22192	Engineer/Agent

(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.

\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2  
(enter County-assigned application number (s))

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
MPE LLC Agent: Charles J. Kieler	6551 Loisdale Court, Suite 900 Springfield, VA 22150	Title Owner/Agent <b>91-1((28))1&amp;2</b> <b>91-1((1))11B2</b>

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

**Rezoning Attachment to Par. 1(b)**

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998-LE-048-2/EDPA 1998-LE-048-1-2  
(enter County-assigned application number (s))

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

Levine MP LLC  
c/o Advanced Properties, Ltd.  
6551 Loisdale Court, Suite 330  
Springfield, Virginia 22150

**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)

The Levine Family Limited Partnership II, Member

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

President, Vice-President, Secretary, Treasurer, etc.)  
Stanley B. Levine, President

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

Advanced Properties, Ltd.  
6551 Loisdale Court, Suite 330  
Springfield, Virginia 22150

**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)

Stanley B. Levine  
Bruce E. Levine

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

President, Vice-President, Secretary, Treasurer, etc.)  
Stanley B. Levine, President  
Bruce E. Levine, Secretary

(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: MAY 7 2003
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2
(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)

The Levine Family Limited Partnership II
6551 Loisdale Court, Suite 330
Springfield, Virginia 22150

(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)

Table with 4 columns: Name, Title, Trust Name, Title. Lists partners like Stanley B. Levine, Bruce E. Levine, Grandpa Stan's Irrevocable Trust, etc.

(check if applicable) [X] 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: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998-LE-048-2 / FDM 1998-LE-048-1-2  
(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)

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

(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)

Equity Partners of McGuireWoods LLP

- |                            |                              |
|----------------------------|------------------------------|
| Aaronson, Russell T., III  | Barr, John S.                |
| Adams, Robert T.           | Bates, John W., III, retired |
| Ames, W. Allen, Jr.        | Belcher, Dennis I.           |
| Anderson, Arthur E., II    | Blanco, Jim L., former       |
| Anderson, Donald D.        | Boland, J. William           |
| Andre-Dumont, Hubert       | Bracey, Lucius H., Jr.       |
| Atkinson, Frank B., former | Broadus, William G.          |
| Aucutt, Ronald D.          | Brown, Thomas C., Jr.        |
| Bagley, Terrence M.        | Burke, John W., III          |
| Baril, Mary Dalton         | Burkholder, Evan A.          |
| Barnum, John W.            | Burrus, Robert L., Jr.       |

(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 Attachment to Par. 1(c)

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998.LE-048-2/FDPA 1998.LE-048-1-2  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

Busch, Stephen D.  
Cabaniss, Thomas E.  
Cairns, Scott S.  
Capwell, Jeffrey R.  
Carter, Joseph C., III  
Cason, Alan C.  
Cogbill, John V., III  
Courson, Gardner G., former  
Cranfill, William T.  
Cromwell, Richard J.  
Culbertson, Craig R.  
Cutchins, Clifford A., IV  
Cullen, Richard (nmi)  
Dabney, H. Slayton, Jr.  
Deem, William W.  
de Cannart d'Hamale, Emmanuel  
den Hartog, Grace R., former  
Dillon, Lee Ann  
Douglass, W. Birch, III  
Dudley, Waller T.  
Dyke, James Webster, Jr.  
Earl, Marshall H., Jr., retired  
Edwards, Elizabeth F.

Evans, David E.  
Feller, Howard (nmi)  
Fennebresque, John C.  
Fifer, Carson Lee, Jr.  
Flemming, Michael D.  
France, Bonnie M.  
Franklin, Stanley M.  
Freye, Gloria L.  
Getchell, E. Duncan, Jr.  
Gieg, William F., former  
Gillece, James P., Jr.  
Glassman, M. Melissa  
Goodall, Larry M.  
Gordon, Alan B.  
Grandis, Leslie A.  
Grimm, W. Kirk  
Hampton, Glenn W.  
Harmon, T. Craig  
Heberton, George H.  
Howard, Marcia Morales  
Isaf, Fred T.  
Johnston, Barbara Christie  
Joslin, Rodney D., former

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

**Rezoning Attachment to Par. 1(c)**

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): PCA 1998-UE-048-2 / FDA 1998-UE-048-1-2  
(enter County-assigned application number (s))

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

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

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

- |                             |                           |
|-----------------------------|---------------------------|
| Kane, Richard F.            | Michels, John J., Jr.     |
| Katsantonis, Joanne (nmi)   | Milton, Christine R.      |
| Keefe, Kenneth M., Jr.      | Murphy, Sean F.           |
| King, Donald E.             | Newman, William A.        |
| King, William H., Jr.       | Nunn, Daniel B., Jr.      |
| Kittrell, Steven D.         | Oostdyk, Scott C.         |
| Krueger, Kurt J.            | O'Grady, Clive R. G.      |
| La Fratta, Mark J.          | O'Grady, John B.          |
| Lawrie, Jr., Henry deVos    | Oakey, David N.           |
| Little, Nancy R.            | Padgett, John D.          |
| Mack, Curtis L.             | Page, Rosewell, (nmi) III |
| Marshall, Gary S.           | Pankey, David H.          |
| Martin, George Keith        | Pollard, John O., retired |
| McArver, R. Dennis, retired | Price, James H., III      |
| McCallum, Steven C.         | Pusateri, David P.        |
| McElligott, James P.        | Richardson, David L.      |
| McElroy, Robert G.          | Rifken, Lawrence E.       |
| McFarland, Robert W.        | Riopelle, Brian C.        |
| McGee, Gary C., former      | Robertson, David W.       |
| McIntyre, Charles Wm.       | Robinson, Stephen W.      |
| McMenamin, Joseph P.        | Rohman, Thomas P.         |
| Melson, David E.            | Rogers, Marvin L.         |
| Menges, Charles L.          | Rosen, Gregg M.           |
| Menson, Richard L.          | Russell, Deborah M.       |

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

Rezoning Attachment to Par. 1(c)

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1326

for Application No. (s): 20A 1998-LE-048-2 / FDPA 1998-LE-048 1-2  
(enter County-assigned application number (s))

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

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

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

- |                                  |                              |
|----------------------------------|------------------------------|
| Rust, Dana L.                    | Thornhill, James A.          |
| Sable, Robert G.                 | Van der Mersch, Xavier G.    |
| Satterwhite, Rodney A.           | Vick, Howard C., Jr.         |
| Schill, Gilbert E., Jr.          | Waddell, William R.          |
| Sellers, Jane Whitt              | Walker, Howard W.            |
| Shelley, Patrick M.              | Walsh, James H.              |
| Skinner, Halcyon E.              | Watts, Stephen H., II        |
| Slaughter, Alexander H., retired | Wells, David M.              |
| Slone, Daniel K.                 | Whittemore, Anne Marie       |
| Smith, James C., III             | Williams, Stephen E., former |
| Smith, R. Gordon                 | Williams, Steven R.          |
| Spahn, Thomas E.                 | Williamson, Mark D.          |
| Stallings, Thomas J.             | Wilson, Ernest G.            |
| Steen, Bruce M.                  | Wood, R. Craig               |
| Stone, Jacquelyn E.              | Word, Thomas S., Jr., former |
| Strickland, William J.           | Younger, W. Carter           |
| Stroud, Robert E., retired       | Zirkle, Warren E.            |
| Summers, W. Dennis               | Patrick A. DeRidder          |
| Swartz, Charles R.               | Sandra K. Giannone           |
| Swindell, Gary W., former        | Patrick L. Hayden            |
| Tashjian-Brown, Eva S.           | James L. Matte               |
| Taylor, D. Brooke, retired       | J. Tracy Walker, IV          |
| Tetzlaff, Theodore R.            | John B. Yorke, former        |
|                                  | B. Andrew Pickens            |

These are the only equity partners in the above-referenced firm.

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

REZONING AFFIDAVIT

DATE: MAY 7 2003  
(enter date affidavit is notarized)

2002-1328

for Application No. (s): PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2  
(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: MAY 7 2003  
(enter date affidavit is notarized)

2002-1320

for Application No. (s): PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the filing 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 \$200 or more, with any of those listed in Par. 1 above.

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

A contribution in excess of \$200.00 was made to Supervisor T. Dana Kauffman on 1/30/02 and to Supervisor Penelope A. Gross on 1/30/02 by B. Mark and Barbara J. Fried, as individuals. Contributions in excess of \$200 were made on 2/19/03 to Supervisor Penelope A. Gross; on 3/5/03 to Supervisor Gerald Connolly; on 3/5/03 to Supervisor Elaine McConnell; and on 3/27/03 to Supervisor T. Dana Kauffman by B. Mark and Barbara J. Fried, as individuals.

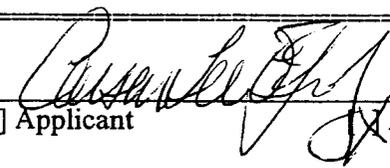
**(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)**

(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.

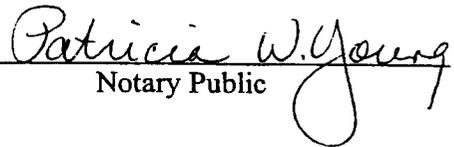
WITNESS the following signature:

(check one)

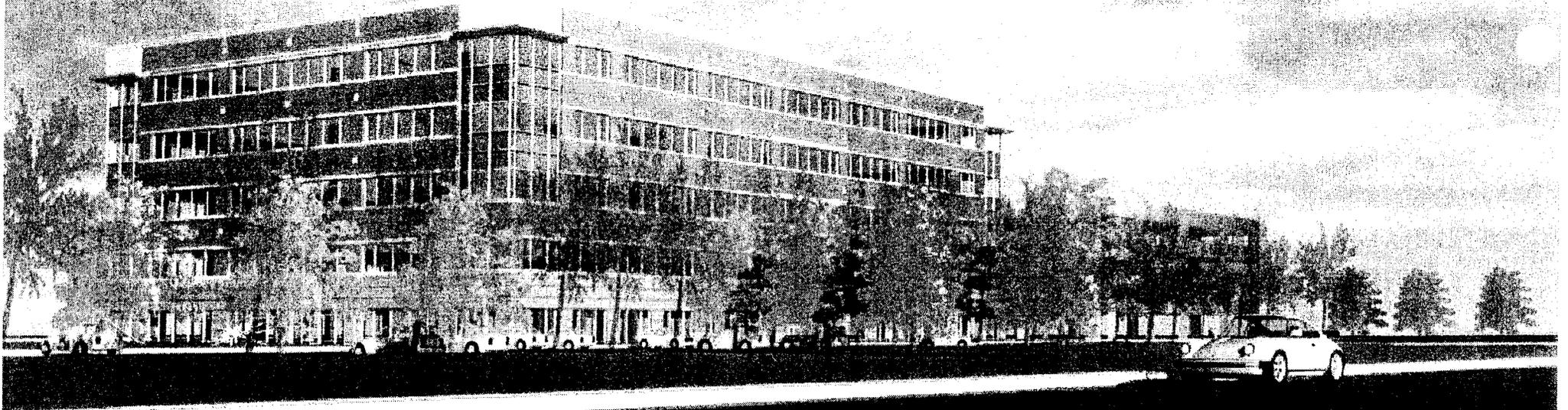
Applicant   Applicant's Authorized Agent

Carson L. Fifer, Jr., Esquire, Agent for Applicant  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7<sup>th</sup> day of MAY 20 03, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

  
Notary Public

My commission expires: DECEMBER 31, 2006



Southwestern View of Proposed Building and  
Garage from Beulah Street

**STATEMENT OF JUSTIFICATION  
PROFFERED CONDITION AMENDMENT and CONDITIONAL/FINAL  
DEVELOPMENT PLAN AMENDMENT (the "Application")**

**METRO PARK**

Tax Map Reference: 91-1 ((1)) 23C

April 12, 2002

**RECEIVED**  
Department of Planning & Zoning

**MAY 02 2002**

Zoning Evaluation Division

OVERVIEW

The above-described property (the "Property") is generally located on the east side of Beulah Street and on the north side of the Franconia-Springfield Parkway. The Property is strategically located adjacent to the Springfield Metro Station. The Property consists of approximately 5.03 acres and is part of the Metro Park office development. Consistent with Comprehensive Plan recommendations, Metro Park was rezoned to the Planned Development Commercial (PDC) District in 1999 under RZ/FDP 1998-SE-048 and is being developed under a coordinated plan that includes a mixed-use development of office, support retail, and child-care center uses. Approximately one-third of the approved office development at Metro Park is complete. This Proffered Condition Amendment/Conditional Development Plan Amendment/Final Development Plan Amendment application (the "Application") is filed concurrently with a nomination to amend the Comprehensive Plan under the South County Cycle (APR-02-IV-8S).

PROPOSAL

The Fried Companies, Inc. (the "Applicant") proposes to construct a six (6) story 150,000 square foot office building at 85 feet in height in lieu of the approved 102,200 square foot hotel at 61 feet in height. Since approval of the Rezoning, four new hotels have been approved in Springfield. The market for hotel use has been saturated in this area. The proposed office use will result in an improvement over the approved hotel use. According to industry reports, hotel occupancy rates are down 15-20 percent from this time last year.

Of the three office buildings currently constructed at Metro Park two are 100% occupied and leasing activity for the third building, which was just completed is strong. Office tenants at Metro Park include the U.S. Government and government contractors such as SAIC, Calibre Systems, and the Defense Contract Management Agency. Historically, federal government agencies and government contractors have not suffered as much as non-government, or government related, firms during economic decline.

The additional height for the proposed office building is necessary due to standard practices in modern office construction. Modern, first class office buildings require enhanced infrastructure to provide tenants with the ability to incorporate top technology amenities into their office space, and to allow the building owner to attract high quality tenants. Hotels generally do not incorporate such extensive infrastructure. The components of such

infrastructure are installed in the ceilings of each floor of an office building. Each floor of an office building requires 14-15 feet instead of the 10 feet standard for hotels. In order to accommodate the proposed office building the Applicant requests an incremental increase in the approved Floor Area Ratio ("FAR") for Metro Park from 0.62 to 0.64.

The approved proffers and development plan for Metro Park also include a freestanding child-care center not to exceed 7,200 square feet and 99 children. The Applicant proposes to incorporate the child-care center into the proposed office building while requesting an increase in the approved number of children for the child-care center to 150 and an accompanying increase in gross floor area for the use not to exceed 10,000 square feet. Incorporating the child-care center use into the office building will result in a more unified design concept throughout Metro Park. Consistent with the governing approvals, the Applicant shall construct a solid fence of complementary materials around all sides of the outside play area for the child-care center. If approved, the increase in the number of children will enable the Applicant to more adequately address tenant needs for child-care in Metro Park which will consist of eight (8) office buildings and with some first floor retail if new government and private sector security requirements so allow.

### COMMUNITY BENEFITS

Since approval of Metro Park in 1999 the Applicant has completed many of the proffered community benefits. All of the transportation commitments made by the Applicant with approval of Metro Park, and which are required to date, have been successfully completed. In addition, the Applicant funded the restoration of a building on the Laurel Grove Baptist Church property to its original use as a schoolhouse building, circa 1880. Associated with the schoolhouse building is the non-profit Laurel Grove Association established by the Applicant in coordination with the Church. The Association includes members of the Church and the community in order to provide additional support for the use and maintenance of the restored schoolhouse. The Church uses the building as a museum and a teaching tool in the community.

There is an existing cemetery along the eastern edge of the Property. The Applicant has constructed a new fence around the cemetery to adequately separate it from adjacent development.

The Applicant has constructed a bus shelter on the interior of the Metro Park property. The shelter is heated in winter and air conditioned during the summer. Trash receptacles are provided at the shelter and are maintained by the Applicant so that the vicinity of the shelter remains litter free. The Applicant has been running a shuttle service to the Springfield Metro station since the opening of the first building. The Applicant has hosted ride share fares and instituted many other programs to increase Metro/VRE ridership.

### MODIFICATIONS

The Applicant respectfully requests reaffirmation of the modification of the transitional screening requirements approved with RZ/FDP 1998-SE-048. Specifically, this reaffirmation shall apply to the modifications granted along the southern lot line and the modification along

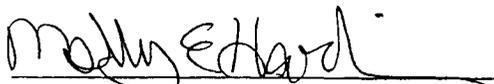
the property lines of the Laurel Grove Church to provide a variable width planting strip as depicted on the CDPA/FDPA.

CONCLUSION

Beyond those modifications requested above, the proposed development conforms to all applicable ordinances, regulations and standards for development under the provisions of the PDC Zoning District. This proposal shall provide a high quality of development in the Beulah Community Planning Sector. Adequate utilities, drainage, parking, and other facilities needed to serve the Property will be provided. For all of the aforementioned reasons, the Applicant respectfully requests the Staff and the Planning Commission to endorse, and the Board of Supervisors to approve this request.

Respectfully submitted,

McGuireWoods, LLP

By:   
Molly E. Harbin, Land Use Planner

**MEMORANDUM**

VIA FACSIMILE: 703/324-1450

**TO:** Charles Almquist  
Fairfax County Department of Transportation

**FROM:** Robin Antonucci  
Robert Kohler

**SUBJECT:** Metro Park Trip Generation Comparison and Traffic  
Counts - Franconia Springfield Parkway/Beulah Street  
Fairfax County, Virginia

**DATE:** April 24, 2003

The memorandum discusses a trip generation comparison and recent traffic count data requested for the Metro Park project. A comparison of the traffic generation between the approved hotel/retail uses versus the additional office uses currently proposed was prepared by Wells & Associates, and summarized in a memorandum dated October 2, 2002. In addition, a recent traffic count conducted at the Franconia Springfield Parkway/Beulah Street intersection is enclosed.

The results of the trip generation analysis prepared in October indicated that according to the Institute of Transportation Engineers (ITE), although the peak hour trips generated by the proposed office use are greater than the approved hotel and retail uses, the **daily trips** generated by the office use are **significantly less** (44% less.) When compared to actual localized rates, the proposed office uses are **generally consistent** with the approved hotel/retail uses during critical peak hours. A copy of this memorandum is attached for your reference in Appendix A.

A recent traffic count conducted by Wells & Associates, LLC on Thursday, October 10, 2002, at the Franconia Springfield Parkway/Beulah Road intersection is summarized in Appendix B. This count was conducted at your request last fall and copies of

that count had previously been transmitted to your office via facsimile. The aforementioned counts were conducted between the hours of 6:00 to 9:00 AM and 4:00 to 7:00 PM and recorded in 15-minute intervals. Copies of the counts are included as Attachment I.

For your convenience, also included as Attachment II to this memorandum are copies of prior counts conducted by Wells & Associates at this same intersection. These counts formed the basis of previous analyses/reports completed in support of the Metro Park development. These reports included the following:

1. Metro Park Traffic Impact Study (Dated September 18, 1998)
2. Metro Park Traffic Impact Study (Dated May 5, 1999)
3. Metro Park Synchro/Sim Traffic Analysis (Dated June 8, 2001)

Traffic volumes remained generally consistent with expected yearly growth however; select movements appeared to vary significantly during the past four years. Northbound AM movements on Beulah Street experienced the greatest variability. This is likely attributed to construction of the I-95/Springfield interchange. With the initiation of the project, traffic patterns within the immediate Springfield area have changed.

Also included herein are copies of capacity analyses conducted for the study intersection based on the October 2002 traffic counts. Level of service analyses for the intersection were completed based on the existing counts reflected in Attachment I, signal timings/phasing obtained from VDOT, lane use existing at the times counts were conducted, and the Highway Capacity Manual 2000 methodologies (HCS version 4.1c). The results of this analysis are summarized on Table 1 and presented in Attachment III.

For comparative purposes, level of service calculations for the subject intersection are also provided for each of the previous study years (1998, 1999 and 2001 as reflected in Attachment II) based on the Highway Capacity Manual 2000 methodologies (software version 4.1c). These results of these analyses are also summarized on Table 1 and presented in Attachment III.

As shown in Table 1, the intersection continues to operate at capacity during peak periods. However, with the improvements completed by the Fried Companies, the intersection is operating at levels better than 1998 levels.

Should you require any additional information or have any questions regarding the information provided please call or email me at [RLAntonucci@mjwells.com](mailto:RLAntonucci@mjwells.com).

Attachments: a/s

cc: Charles Kieler, The Fried Companies  
Sheri Hoy, McGuire Woods

D:\CHAPMAN\PROJECTS\1924\COUNT MEMO (UPDATED 4-25-03)

Appendix A

Copy of Trip Generation Comparison Memorandum prepared by Wells  
& Associates, dated October 2, 2002

**WELLS & ASSOCIATES, LLC**TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

---

**MEMORANDUM**

VIA FACSIMILE: 703/922-7070 (Five pages plus attachments)

**TO:** Charles Kieler  
The Fried Companies

**FROM:** Robin L. Antonucci  
Robert Kohler

**SUBJECT:** PCA 1998-LE-048-01; Metro Park  
Tax Map No. 91-1 ((1))11B and 11C

**DATE:** October 2, 2002

**Overview**

As requested, Wells & Associates completed an estimation of the trip generation of the approved hotel/retail uses versus proposed additional office uses associated with the ongoing development of Metro Park. According to the Institute of Transportation Engineers (ITE), although the peak hour trips generated by the proposed office use are greater than the approved hotel and retail uses, the **daily trips** generated by the office use **are significantly less** (44% less.) When compared to actual localized rates, the proposed office uses **are generally consistent** with the approved hotel/retail uses during critical peak hours.

**Background**

The Metro Park development is located in the northwest quadrant of the Beulah Street/Franconia-Springfield Parkway intersection in Fairfax County, Virginia.

The 37-acre properties that comprise the Metro Park development were rezoned on August 2, 1999 to the PDC (Planned Development Commercial) zoning designation. In conjunction with the rezoning, the Board of Supervisors accepted a significant number of transportation proffers. Included among those proffers was the commitment that the property would be developed in substantial conformance with the submitted conceptual and final development plans.

These plans restrict development on the property to a maximum 0.55 floor area ratio (FAR) for office uses, with a combined FAR of all uses not to exceed 0.62. Further, office uses were capped at 960,400 gross square feet (GSF), hotel uses at 102,200 GSF, specialty retail uses at 18,800 GSF, and the childcare center at 7,200 GSF.

It is my understanding that an application has been filed to amend the accepted proffers to delete the approved hotel, and specialty retail uses in favor of 142,500 GSF of additional office uses. This memorandum provides a trip generation assessment of the proposed proffer change, as well as an analysis of the traffic generating characteristics of the existing on-site office uses.

#### **ITE Trip Generation**

The volume of traffic anticipated to be generated by the approved and/or proposed uses were estimated first based on standard Institute of Transportation Engineers (ITE), 6<sup>th</sup> edition, Trip Generation rates and/or equations. The results of this assessment are depicted on Table 1.

As shown on Table 1, the approved hotel and retail uses would generate a total of 143 AM peak hour trips, 189 PM peak hour trips and 2,516 daily trips. By comparison, the proposed additional new office uses would generate 247 AM peak hour trips, 239 PM peak hour trips and 1,742 daily trips. Although the peak hour trips generated by the proposed office use are greater than the approved hotel and retail uses, the daily trips generated by the office use are significantly less.

Table 1  
 Metro Park  
 Trip Generation Analysis (1)

Scenario	Land Use Code	Amount	Unit	AM Peak Hour			PM Peak Hour			Daily Traffic
				In	Out	Total	In	Out	Total	
<b>Approved Plan</b>										
-Hotel	310	200 rooms		78	56	134	70	72	142	1784
-Retail (2)	814	18,000 GSF		5	4	9	20	27	47	732
-Total				83	60	143	90	99	189	2516
<b>Proposed Plan</b>										
-Office	710	142,500 GSF		217	30	247	41	198	239	1742
<b>Comparison</b>										
-Approved vs. Proposed				-134	30	-104	49	-99	-50	774
				-62%	99%	-42%	119%	-50%	-21%	44%

Notes: (1) Source: Institute of Transportation Engineers, 6th Edition, Trip Generation.

(2) AM peak hour rate = 0.5 trips per 1,000 GSF per Fairfax County practice. AM directional distribution equal to AM for shopping center per ITE.

### Observed Trip Generation

In an effort to determine the volume of trips generated by office uses exclusive to the Metro Park development, driveway counts were conducted on September 11, 2001 at two office buildings already built and occupied on-site. These buildings are located at 6350 and 6354 Walker Lane and provide for a total of 266,000 GSF of office uses. The results of the counts are summarized on Table 2 and presented in Attachment I.

As shown on Table 2, the existing general office uses generate a total of 342 AM and 275 PM peak hour trips. Assuming occupancy of 99%, this equates to an AM peak hour rate of 1.29 trips per 1,000 GSF and a PM peak hour rate of 1.03 trips per 1,000 GSF. By comparison and using ITE rates, 266,000 GSF of office uses would be expected to generate 415 AM peak hour trips and 397 PM peak hour trips (or 1.56 AM trips/1000 GSF and 1.49 PM trips/1000 GSF), more than is currently being generated by the uses.

Utilizing the observed rates for Metro Park office uses, the proposed new 142,500 GSF office building would generate 184 AM peak hour trips and 147 PM peak hour trips. These volumes are generally consistent with the approved hotel and retail uses.

I trust that the information provided herein is helpful to you in responding to any concern of the staff. If you require additional assistance please call or email me at [RLAntonucci@mjwells.com](mailto:RLAntonucci@mjwells.com).

Attachments: a/s

cc: Molly Harbin, McGuire Woods



# FAIRFAX COUNTY

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 5  
Fairfax, Virginia 22035-00

V I R G I N I A

Telephone: 703-324-3111

FAX: 703-324-3900

TTY: 703-324-3900

August 18, 1999

Barbara June Fried, Esquire  
Fried Companies, Incorporated  
6551 Loisdale Court - Suite 900  
Springfield, Virginia 22150

RE: Rezoning Application Number  
RZ 1998-LE-048

Dear Ms. Fried:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on August 2, 1999, granting Rezoning Application Number RZ 1998-LE-048 in the name of Metro Park, LLC, to rezone certain property in the Lee District from the R-1, I-4 and I-5 Districts to the PDC District, subject to the proffers dated July 30, 1999, on subject parcels 91-1 ((1)) 11B and 11C (formerly tax map 91-1 ((1)) 11), 23, 23A, 24, 26, 27, 28, 29, 30, 31A, 31B (includes area formerly Walker Lane easement), consisting of approximately 37.17 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan FDP 1998-LE-048 on July 29, 1999, subject to the Board's approval of RZ 1998-LE-048.

**The Board also:**

- **Modified the transitional screening and barrier requirements along the southern boundary and adjacent to Laurel Grove Church.**
- **Waived the following requirements with regard to the proffered trail to the Joe Alexander Transportation Center:**
  - **Tree cover.**

RZ 1998-LE-048  
August 18, 1999

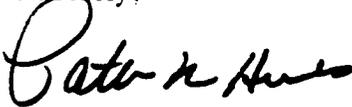
**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING

**AUG 26 1999**

ZONING EVALUATION DIVISION

- Best management practices.
- Stormwater management.
- Soils report.
- Cross section requirements in Section 8-0202.5 of the Public Facilities Manual (PFM).
- Turning radius in Section 8-0202.6 of the PFM.
- Clearing zone requirement in Section 8-0202-3 of the PFM with regards to the proffered fence.

Sincerely,



Patti M. Hicks  
Deputy Clerk to the Board of Supervisors

PMH/ns

cc: Chairman Katherine K. Hanley  
Supervisor-Lee District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Fred R. Beales, Supervisor Base Property, Mapping/Overlay  
Robert Moore, Transportation Planning Div., Dept. of Transportation  
Ellen Gallagher, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acq. & Planning Div., Park Authority  
District Planning Commissioner  
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES  
Barbara J. Lippa, Executive Director, Planning Commission

PROFFERS FOR METRO PARK

RZ/FDP 1998-LE-048

July 30, 1999

Pursuant to Section 15.2-2303 A of the Code of Virginia, 1950, as amended and recodified, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978 amended), the property owners and Applicant in this zoning application proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference 90-1 ((1)) – 23, 23A, 24, 26, 27, 28, 29, 31A and 31B (hereinafter referred to as the "Walker Property") and Parcels 11B, 11C (Walker and Parcels 11B and 11C hereinafter referred to collectively as the "Property") will be in accordance with following conditions if, and only if, said Rezoning request for the PDC District at the FAR requested is granted. In the event said application is denied, these proffers shall be null and void. The Applicant, for itself, its successors and assigns, agrees that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia in accordance with applicable County and State statutory procedures these, if accepted, proffers supersede all previous proffers or development conditions on the Property. The Applicant further agrees that these proffers shall remain fully binding on the Applicant and its successors or assigns and any and all future owners of the Property. The proffered conditions are:

The Applicant agrees that the development will be in substantial conformance with the submitted CDP/FDP (including either Alternative "A" and "B") dated November, 1998 and revised through June 28, 1999. Subject to the proffers and the provisions of Sections 18-204 and 16-403 of the Zoning Ordinance, the Applicant reserves the right to make minor modifications to the approved development plan in order to address engineering and architectural issues at the time of final site plan approval.

1. Pursuant to Section 2-308 of the Zoning Ordinance, subject to the approval of full density credit, the Applicant shall dedicate Parcel 11C to the County of Fairfax for use solely as undisturbed open space and buffer upon submission of the site plan for the second building on the Property and maintain it as undisturbed open space until dedication.
2. The Property will be developed at a floor area ratio (FAR) not to exceed .55 for office uses. The combined FAR for all uses as shown on the CDP/FDP and as defined below shall not exceed .62. Office uses shall not exceed 960,400 gross floor area (GFA), specialty retail uses as defined below shall not exceed 18,800 GFA, hotel suites, which the Applicant may construct above the specialty retail as shown on the CDP/FDP, shall not exceed 102,200 GFA, and a child care center

*shall not exceed 7,200 GFA. The maximum daily enrollment of the child care center shall not exceed 99. The total FAR of .62 includes density credit for dedication of right of way and Parcel 11C as set forth in proffer 1 above.*

3. *Accessory uses shall be permitted within the office buildings as said term is defined in Section 20-300 of the Zoning Ordinance. In addition to the uses shown for each of the buildings, Applicant may establish all, any, or any other combination of the uses set forth in Note 10 on the CDP/FDP. Any secondary retail uses located within office uses shall not reduce the 18,800 gross floor area of permitted specialty retail uses.*
4. *Specialty retail is defined as retail uses, business service and supply establishments, personal service establishments, including but not limited to by way of example: dry cleaner, shoe repair, stationer, mailing and copying facilities, financial services, florist, delicatessen, fast food restaurant, coffee shop, etc., and eating establishments designed primarily for tenants and their employees.*
5. *In conjunction with the Laurel Grove Baptist Church, the Applicant shall, at Applicant's expense, restore the existing residence on Parcel 24 to its original use as a School House building, circa 1880. The restoration shall commence with construction on the Walker Property and be completed pursuant to specifications agreed upon between the Church and the Applicant. The Applicant will enter into an agreement with the Laurel Grove Baptist church, so that the building will be maintained, and the Church may use the building for its own activities and as a museum and teaching tool in the community. The Applicant shall establish a non-profit Laurel Grove Association, which will include members of the Church and the community, to provide additional support for the use of the restored Schoolhouse.*
6. *The Applicant shall provide a non-exclusive, private access easement to Walker Lane through its parking lot to the Laurel Grove Baptist Church parking lot (Parcel 25) upon construction of the parking lot.*
7. *During construction of the new Walker Lane, the Applicant, as a safety measure, shall provide fencing along the northern property line of the Laurel Grove Baptist Church and will provide access across its property to the Church. Pursuant to an agreement with the Church, the Applicant shall provide a temporary stone driveway to be maintained by the Applicant, to the Church parking lot.*



sidewalk. Each row will be planted 40 foot on center along Walker Lane to the extent shown on the CDP/FDP. Both sides of Metro Park Drive will be planted with a single row of shade trees. Each row will be planted 40 foot on center between the curb and sidewalk along Metro Park Drive to the extent shown on the CDP/FDP. Shade trees shall be chosen from VDOT's listing of major trees attached to the Proffers as Exhibit B, (excerpted from VDOT's "Guidelines for Planting along Virginia's Highways") and will be a minimum of two and one-half inch (2 ½") caliper at planting. Parking lot screening, with intermittent hedging, of car bumpers shall be provided where surface parking abuts Walker Lane or Metro Park Drive. Landscaping for parking garages shall be as shown on the CDP/FDP. The Applicant reserves the right to cluster landscaping so as to provide views into the development. The Applicant, subject to vehicle and pedestrian safety considerations and VDOT approval, will landscape the median of Walker Lane as shown on the CDP/FDP. The Applicant will institute a program of seasonal flower rotation. The aforesaid landscaping shall be implemented as each building adjacent to a roadway section is constructed. Prior to installing any streetscape plantings along the public streets which does not conform with the CDP/FDP, the Applicant shall provide the Director, DPWES with correspondence from the applicable authorities that such plantings are not permitted. Such correspondence shall include all efforts by the Applicant to obtain a variance or exception from the standard preventing the installation of such plantings.

12. Buildings shall not exceed the height shown on the CDP/FDP. (Provided, however, the calculation of building height shall exclude parapet walls and all other structures specified in Section 2-506 of the Zoning Ordinance.) The height of the parking structures shall not exceed 50 feet, and the hotel suites shall not exceed 61 feet. The Child Care facility shall not exceed 40 feet in height.
13. The architectural styling of all buildings, parking structures, and signage shall be compatible and of high quality typified by unified themes. The exterior of all buildings will be constructed of materials such as precast concrete and/or masonry, or brick with complementary architectural details such as architectural metal, stone, glass, or E.I.F.S. The ultimate development will be consistently designed and well coordinated. The first office building shall conform to the elevation and sketch attached as Exhibit C to these proffers. Building elevation design for all buildings (except the first) shall be returned to the Planning Commission for administrative review for conformance with the standards specified in this Proffer 13.
14. All office buildings shall have parapets and penthouses to reasonably shield roof mounted mechanical equipment from view. The exterior walls of elevator and

*mechanical equipment penthouses shall be of materials compatible with the building to present a harmonious appearance.*

15. *Facade, directional, and monument signage shall be coordinated throughout the project. All permanent freestanding signs shall be monument type; pole signs shall not be permitted. Buildings mounted corporate logos shall be permitted. A comprehensive sign plan shall be submitted with the site plan for the second building to be constructed on the Property in accordance with the provision of Article 12, Signs, subject to this Proffer 15.*
16. *Pedestrian benches with trash receptacles of a coordinated design shall be provided in appropriate numbers for the office areas, but not less than one for every 30,000 square feet of building area beginning with the construction of the second building on the Property or earlier at Applicant's option. Such pedestrian benches and trash receptacles will be placed at appropriate locations related to open space and bus shelters.*
17. *As shown on the CDP/FDP, the development of the subject Property will include pedestrian linkages between the parking areas, the buildings, and the open space areas as each building is developed. In addition, there shall be a sidewalk at the southwestern corner of the site connecting to the existing eight-foot (8') trail along the Franconia/Springfield Parkway, subject to permission from VDOT. The Applicant will actively seek permission from VDOT when the site plan for the second building is processed and construct as part of the second building's site improvements or earlier at Applicant's option. If permission is denied, it will demonstrate its efforts to DPWES.*
18. *An acoustically solid fence shall be provided around all sides of the outside play area for the child care center.*

*Noise attenuation shall be provided in the office buildings adjacent to the railroad tracks as follows:*

- A. *Exterior wall shall have a laboratory sound transmission class (STC) rating of at least 39.*
- B. *Doors and windows shall have a laboratory sound transmission class (STC) rating of at least 28.*
- C. *Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.*

19. *If right in/right out access is granted on the Franconia/Springfield Parkway allowing access to Walker Lane, then, subject to VDOT and County approval, the Applicant shall design and construct an additional right-turn lane on westbound Route 7900 (to serve the Metro station loop separately from the Frontier Drive right-turn lane). The existing shoulder along westbound Route 7900 will be converted to a lane using curb and gutter tying in at the existing jersey barrier at the CSX railroad bridge and extending to the right in/right out entrance; the pavement structure shall meet VDOT standards. Re-striping of westbound Route 7900 (including the CSX railroad bridge) shall be done by Applicant to allow this additional right-turn lane to be carried over the bridge. Applicant shall also construct a deceleration lane into the right in/right out using the existing shoulder and adding curb and gutter. The sketch attached illustrates the proposed improvements.*
  
20. *Subject to VDOT and County approval, when the gross floor area on the Property exceeds 391,940 GFA of office, or earlier at Applicant's option, then upon issuance of the next building permit, Applicant will construct an additional left turn lane on the eastbound Franconia/Springfield Parkway onto northbound Beulah Street, thereby creating dual left turn lanes within existing VDOT right of way. The Applicant will modify the existing traffic signal heads at that intersection to accommodate the improvements noted above. Applicant shall not be required to obtain additional right of way or easements. Subject to VDOT approval, Applicant's construction of the left turn lane will be generally consistent with the following standards:*
  - A. *A lane transition on eastbound Route 7900 west of its intersection with Beulah Street;*
  - B. *The lane transition shall be made approximately 600 feet in length;*
  - C. *The existing paved shoulder on eastbound Route 7900 shall be converted to a right turn lane by converting the existing ditch section to a curb and gutter section; pavement structure shall meet VDOT standards;*
  - D. *The two existing through lanes on eastbound Route 7900 shall be transitioned south approximately 12 feet to allow an additional left turn lane to be constructed next to the existing left turn lane.*
  
21. *The Applicant has dedicated and is constructing Walker Lane as a public street.*

22. *The Applicant shall dedicate, at site plan processing after the second office building on the Property or prior on demand from VDOT and/or Fairfax County (whichever occurs first), the frontage on its site on the western edge of Beulah Street and provide all easements on its frontage in accordance with and in coordination with VDOT plans for the widening of Beulah Street. (VDOT Project #0613.029.309, C501 sheets 9 and 10, undated), as being adjusted to provide for a median break at Walker Lane. All frontage property required for dedication to permit said improvements shall be dedicated to the County Board of Supervisors in fee simple, at no cost to the County. The Applicant shall begin and diligently pursue construction to extend the northbound left-turn lane to the site from Beulah Street so as to provide approximately 300 feet of stacking space. Applicant will substantially complete such construction (defined as open to the motoring public, but not necessarily accepted by VDOT for maintenance) on or before issuance of the non-residential use permit (non-rup) for office GFA in excess of 425,000 GFA. When the gross floor area on the Property exceeds 560,000 GFA of office, then upon issuance of the next building permit on the Property, the Applicant shall contribute its fair share of frontage contribution for the VDOT Beulah Street Improvement Project as determined by Bonds & Agreements up to but not in excess of \$200,000 ("Contribution"). If, prior to the office GFA on the Property exceeding 560,000 GFA, the Applicant, pursuant to these proffers, has made other contributions or improvements (excluding the 300 feet of stacking set forth above) pursuant to the VDOT Beulah Street Improvement Project, this required road fund contribution shall be reduced proportionately based on the value of the contribution or construction of improvements related to the VDOT project. If, prior to the office GFA on the Property exceeding 560,000 GFA, VDOT completes or begins its Beulah Street Improvement Project, then upon completion by VDOT of the Project, Applicant will contribute its Contribution, as defined above, subject to any reduction pursuant to the preceding sentence. At the option of the Lee District Supervisor, said Contribution sum shall be allocated toward any improvements recommended by the Lee District Supervisor.*
23. *Applicant shall design, equip, and construct, at its sole cost and expense, appropriately designed signals at the Walker Lane/Beulah Street intersection and at the Metro Park Drive/Charles Arrington/Beulah Street intersection when warranted by VDOT. If, at the time the warrants are met, the Beulah Street improvements have not been completed the Applicant is entitled to install a temporary interim traffic signal in addition to the aforesaid signal. Subject to the satisfaction of VDOT warrants, the traffic signal planned for the intersection of Walker Lane/Beulah Street shall be installed prior to the gross floor area of the property exceeding 225,000 square feet. If warrants are not met at that time, the signal shall be installed when the warrants are met. The aforesaid signals are in*

addition to the interim improvements as shown on Approved Site Plan 6836-PI-1. If requested by VDOT, Applicant will conduct the warrant studies.

24. Subject to approval from CSX (or any other applicable governmental agency), at no cost to the Applicant for the right to use CSX property, the Applicant will design and construct a pedestrian walkway from the Property to the VRE platform on the following terms and conditions and consistent with the following standards:
- A. No later than October 1, 1999, the Applicant shall prepare a schematic design of an eight-foot wide asphalt walkway with a six-foot chain link fence between the CSX tracks and the trail and lights running from the Property and along the east side of the CSX tracks to the VRE platform (approximately 1800 feet). The trail shall be entirely on the property of CSX and the Applicant. The design shall indicate the distance of the trail from the existing track and the type and amount of gravel, paving, fencing, and lights.
  - B. VRE, working with the Applicant and the Lee District Supervisor secures permission from CSX to build the trail in accordance with the proposal. Applicant's proposed trail shall be strong enough to support CSX maintenance pick-up trucks of  $\frac{3}{4}$  ton.
  - C. Applicant will construct the trail, fence, and lights with the construction of the second office building on the Property (or earlier at Applicant's option) if and when the following conditions have been met:
    - i. Approval by Fairfax County shall be subject to waivers as may be granted by the Board of Supervisors;
    - ii. VRE and Applicant and CSX have entered into an agreement or agreements reasonably satisfactory to Applicant which provide, among other things that:
      - a. VRE allows Applicant to tap electric power from VRE at no cost to Applicant to light the trail;
      - b. VRE indemnifies Applicant and CSX against all loss, damage, or cost arising out of any cause affecting or arising from the walkway and related activities and improvements; and Applicant is not required to indemnify anybody or any entity;
      - c. Applicant will maintain the walkway, fence, and lights from normal wear and tear from pedestrians and  $\frac{3}{4}$  ton pick-up trucks, but not from heavier equipment; and
      - d. If the proposed third CSX track requires the destruction in whole or in part of Applicant's walkway,

*the Applicant will not be required to replace the walkway, fence, or light and shall be relieved of any further liability.*

25. *When North office (C) is constructed (or earlier at Applicant's option), the Applicant shall reserve as shown on the CDP/FDP an area for dedication to Fairfax County as right of way for the future construction by others of a new bridge connection to the Metro/VRE station. Applicant reserves the right to use such area for parking or open space until it is conveyed to the County. The Applicant shall convey said reserved area to the County in fee simple and at no cost, upon written request of the County. The bridge shall be designed and constructed by others to mitigate impact on parking areas of the adjacent office building.*
26. *The Applicant shall construct two bus shelters on site generally as shown on the CDP/FDP and one bus shelter at a point along the Property frontage on Beulah Street. One bus shelter will be constructed on site along with construction of North office (C); the second and third with construction of the first office building on the Walker Property. All three bus shelters shall be constructed substantially in conformance with the design shown on Exhibit D attached to these proffers. The two onsite shelters will be heated in winter and air conditioned in summer. A trash receptacle will be provided at each of the shelters. Applicant will maintain the shelters and trash receptacles. The Applicant will arrange for regular trash collection at intervals to provide that litter in the vicinity of the bus stop is removed, and the bus stop remains litter free.*
27. *The Applicant shall inform its contractors in writing that they and/or their employees are not to use or park on Lewin Drive or Arco Drive. The Applicant shall police the contractors. A "No Construction Traffic" sign will be installed as close to Beulah Street on Lewin Drive as is possible.*
28. *There shall be no pedestrian or vehicular access from the Property to and through the Lewin Park residential development so long as it remains planned and zoned for single family residential use, except as otherwise provided in Proffer 30.*
29. *Jasper Lane and Metro Park Drive, as shown on the CDP/FDP, shall be constructed as public streets and constructed to VDOT standards at such time as they are required to provide access for Lewin Park (as defined in the next proffer).*

30. Access to Lewin Park shall be required and shall be provided upon the happening of any of the following events:
- A. Lewin Park is rezoned for non-residential uses; or
  - B. All access from Lewin Park to Beulah Street is eliminated by construction of the planned interchange; or
  - C. All, or 75% of the lot owners representing 75% of the land area of Lewin Park request access, but in no event prior to the construction of the first office building on the Walker Property.
31. Connection to Lewin Park will be allowed at two locations as shown on the CDP/FDP. Actual construction of the connection from Jasper Lane to Arco Street and any connection from Metro Park Drive, including destruction of the wall, shall be at the expense of the developer of Lewin Park.
32. If the gross floor area of the Property exceeds 560,000 GFA of office, then upon issuance of the next building permit on the Property, Applicant will begin and diligently pursue construction of Jasper Lane, a public street, and the onsite travel lane from Jasper Lane to the western property line. At that time, Applicant will also construct the Metro Park Drive to Beulah Street connection generally as shown on the CDP/FDP. Applicant will substantially complete construction of Jasper Lane and Metro Park Drive (defined as open to the motoring public but not necessarily accepted by VDOT for maintenance) on or before issuance of the non-rup for office GFA in excess of 560,000 GFA. Applicant will provide right-of-way dedication and construction of a southbound right-turn lane on Beulah Street in conjunction with construction of the above connection. Subject to VDOT and Department of Transportation approval, connection may be constructed to preclude through eastbound/westbound movements between Metro Park Drive and Charles Arrington Drive.

*Notwithstanding the above, to mitigate the negative impact of the VDOT Beulah Street widening on Lewin Park and to permit adequate public access to the existing Lewin Park residential development, the Applicant shall:*

- A. *Within thirty (30) days from approval of this rezoning application, deliver a written request to VDOT, and thereafter diligently pursue the inclusion of the Metro Park Drive approach as part of the Beulah Street improvement project (VDOT Project #0613.029.309, C501 sheets 9 and 10, undated).*
- B. *Design the Metro Park Drive connection to Beulah Street to VDOT's standards and pay the cost of its construction to VDOT when the bid*

*is let for the Project. Applicant will also pay the cost of any necessary right of way acquired or condemned by VDOT.*

33. *If access from Lewin Park is required prior to the applicability of the preceding proffer number 32, then the Metro Park Drive/Charles Arrington intersection at Beulah Street will be constructed only if the necessary right of way has been acquired or condemned by VDOT or Fairfax County.*
- A. *If, when such access is required under this proffer #33, the Applicant is unable to bring about the dedication by others and the necessary right-of-way and easements, or to acquire by purchase the right-of-way or easements at fair market value, as determined by an MAI (Member of the Appraisal Institute) appraisal, then the Applicant shall request the Board of Supervisors to condemn the necessary land and/or easements.*
- B. *It is understood that the Applicant's request to the Board of Supervisors for condemnation will not be considered until it is forwarded in writing to the Division of Land Acquisition or other appropriate County official, accompanied by (1) plans, plats and profiles showing the necessary right-of-way or grading easements to be acquired, including all associated easements and details of the proposed transportation improvements to be located on said right-of-way property; (2) an independent appraisal of the value of the right-of-way property to be acquired and of all damages to the residue of the affected property; (3) a sixty (60) year title search certificate of the right-of-way property to be acquired; and (4) a letter of credit in an amount equal to the appraised value of the property to be acquired and of all damages to the residue which can be drawn upon by the County. It is also understood that in the event the property owner of the property to be acquired is awarded with more than the appraised value of the property and to the damages to the residue in a condemnation suit, the amount of the award in excess of the letter of credit amount shall be paid to the County by the Applicant within forty-five (45) days of said award. In addition, the Applicant agrees that all reasonable and documented sums expended by the County in acquiring the right-of-way and necessary easements shall be paid to the County by the Applicant within sixty (60) days of written demand. In the event the County initiates, but subsequently abandons efforts to acquire the necessary right-of-way, the Applicant shall not be obligated to reimburse the County for costs expended.*
34. *The Applicant will provide, when the first office building is completed and occupied, a shuttle van to provide service to and from Metro for tenants and their*

employees at approximately 15-minute intervals during rush hour. When the occupancy rate of the shuttle vans reaches 90% during peak hour travel, then the Applicant will increase the service intervals to run at approximately 10-minute intervals. If the Transportation Association of Greater Springfield (TAGS) elects to provide such dedicated service, then in lieu of Applicant owning and operating the vans, it may make an annual contribution to TAGS instead to cover the cost of the service dedicated to this site.

35. The Applicant will work with the Fairfax County Department of Transportation and will implement the following Transportation Demand Management Program (the "TDM Program"). The objective of this TDM Program is the reduction, at time of project build-out, of single-occupant vehicles by fifteen (15) percent over the demand generated by the development of the property as proposed herein and as calculated based on standard Institute of Transportation Engineers (ITE) 6<sup>th</sup> edition rates/equations for those land uses listed as shown on Table 2 of the Traffic Impact Study prepared by Wells & Associates dated May 5, 1999.

Among the incentives to be implemented as a part of the TDM Program will be an encouragement of the use of public transportation, ridesharing opportunities, and staggered work hours. The program will have three general components which are:

- (1) An individual to serve as a designated transportation coordinator (the "TDM Coordinator") who will have the responsibility of implementing the incentives of the TDM Program will be in place when the first office building on the Property is completed and occupied. The functions of the TDM Coordinator may be performed as part of the other duties of designated individuals.
- (2) Participation through the office of the TDM Coordinator in the Transportation Association of Greater Springfield (TAGS).
- (3) Incentive traffic mitigation programs to be implemented by the TDM Coordinator may include the following:
  - (a) Parking Management Program:
    - Preferential parking for Ride Sharing
    - On-site shared parking;
  - (b) Participation in the Fairfax County Ride Share Program:

- *Computerized matching service;*
- *Ridesharing information kits for new employees;*
- *Ridesharing display maps and forms in each office building;*

(c) – *Promotion of Transit Services:*

- *Transit subsidies, such as MetroChek;*
- *Transit information center;*
- *Shuttle service;*
- *Guaranteed ride home;*
- *Promotion of VRE ridership;*

(d) *Provision for Bus Stops and/or Shelters throughout the Metro Park development:*

(e) *Sidewalk system designed to facilitate pedestrian circulation;*

(f) *Promotion of staggered work hours program and flex-time;*

(g) *Amenities for bicycle storage.*

(4) *Prior to occupancy of 800,000 GFA of office uses on the Property, the TDM Coordinator will conduct a survey designed to determine the transportation characteristics of the building tenants and employees. This survey will be the basis for improving the effectiveness of the TDM Program.*

(5) *Upon achieving a total occupancy level on the Property of 960,400 GFA of development (as evidenced by the issuance of Non-RUPS), the Applicant or assigns shall cause a traffic study to be undertaken to assess the accuracy of the total peak hour vehicle trip generation projections for the property based upon the ITE Trip Rates used to generate the estimated volume counts contained on Table 2 of the Traffic Impact Study prepared by Wells & Associates dated May 5, 1999. The study shall be submitted to the Fairfax County Department of Transportation.*

36. *In the event any condition or proffer of the rezoning requires amendment or revision to the site plan submitted for North Office (B), then Applicant will immediately submit a revision to that site plan, or a new site plan in substitution thereof.*

## *LIST OF EXHIBITS*

- A. *Landscape Cross Section*
- B. *Major Trees Listing (excerpt from VDOT's "Guidelines for Planting along Virginia's Highways")*
- C. *Elevation Sketch of Office Building*
- C-1. *Attachment to Proffer #19*
- D. *Bus Shelter Design*

PROPERTY OWNERS:

PARCEL 23

Phyllis Walker Ford  
Phyllis Walker Ford

Geneva Walker Jones  
Geneva Walker Jones

By: Phyllis Walker Ford  
By: her attorney-in-fact  
Phyllis Walker/Ford,  
her attorney-in-fact

Van Dyke A. Walker, Jr.  
Van Dyke A. Walker, Jr.

By: Phyllis Walker Ford  
By: his attorney-in-fact  
Phyllis Walker Ford,  
his attorney-in-fact

PARCEL 23A

Phyllis Walker Ford Trustee  
Phyllis Walker Ford, Trustee

Van Dyke A. Walker, Jr., Trustee  
Van Dyke A. Walker, Jr., Trustee

By: Phyllis Walker Ford  
By: his attorney-in-fact  
Phyllis Walker Ford  
his attorney-in-fact

PARCEL 24

Phyllis Walker Ford, Trustee  
Phyllis Walker Ford, Trustee

Van Dyke A. Walker Jr. Trustee  
Van Dyke A. Walker Jr., Trustee

By: Phyllis Walker Ford  
his attorney - in - fact  
Phyllis Walker Ford,  
his attorney-in-fact

PARCEL 26

Phyllis Walker Ford  
Phyllis Walker Ford

PARCEL 27

Phyllis Walker Ford  
Phyllis Walker Ford

PARCEL 28

Winnie Walker Spencer  
Winnie Walker Spencer  
By: Phyllis Walker Ford  
By: her attorney - in - fact  
Phyllis Walker Ford,  
her attorney-in-fact

PARCEL 29

Geneva Walker Jones

Geneva Walker Jones

By: Phyllis Walker Ford

By: her attorney - in - fact

Phyllis Walker Ford

her attorney-in-fact

PARCEL 30

Van Dyke A. Walker, III

Van Dyke A. Walker, III

By: Phyllis Walker Ford,

By: his attorney - in - fact

Phyllis Walker Ford,

his attorney-in-fact

PARCEL 31A

Alma L. Walker Bushrod

Alma L. Walker Bushrod

By: Phyllis Walker Ford

By: her attorney - in - fact

Phyllis Walker Ford,

her attorney-in-fact

PARCELS 31B, 11A, and 11C

METRO PARK LLC,  
A Virginia limited liability company

By: B. Mark Fried  
B. Mark Fried, Member

APPLICANT/CONTRACT PURCHASER:

of PARCELS 23, 23A, 24, 26, 27, 28, 29, 30,  
and 31A

METRO PARK LLC,  
A Virginia limited liability company

By: B. Mark Fried  
B. Mark Fried, Member



<u>Plant Name</u>	H = Height S = Spread	General Form
Prunus cerasifera 'Thundercloud'	H = 15' - 20'	Rounded
Thundercloud Purple Plum	S = 10' - 15'	

Prunus :

'Kwar

Kwanza

METRO PARK  
RZ/FDP 1998-LE-048

PROFFER EXHIBIT "B"

right

Rhus typhae

Staghorn

regular

Taxus canadensis

'capitata'

Upright

pyramidal

Thuja occidentalis

Oriental

columnar to

pyramidal

Viburnum prunifolium

Blackhaw

H = 12' - 15'

S = 8' - 12'

Rounded

#### B. Major Trees

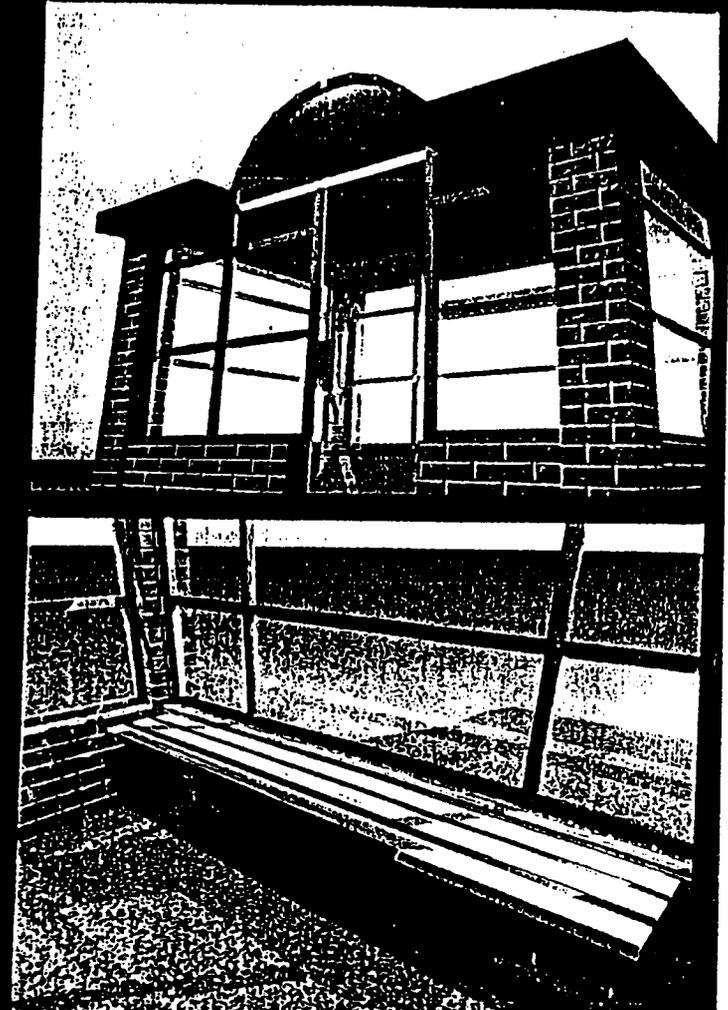
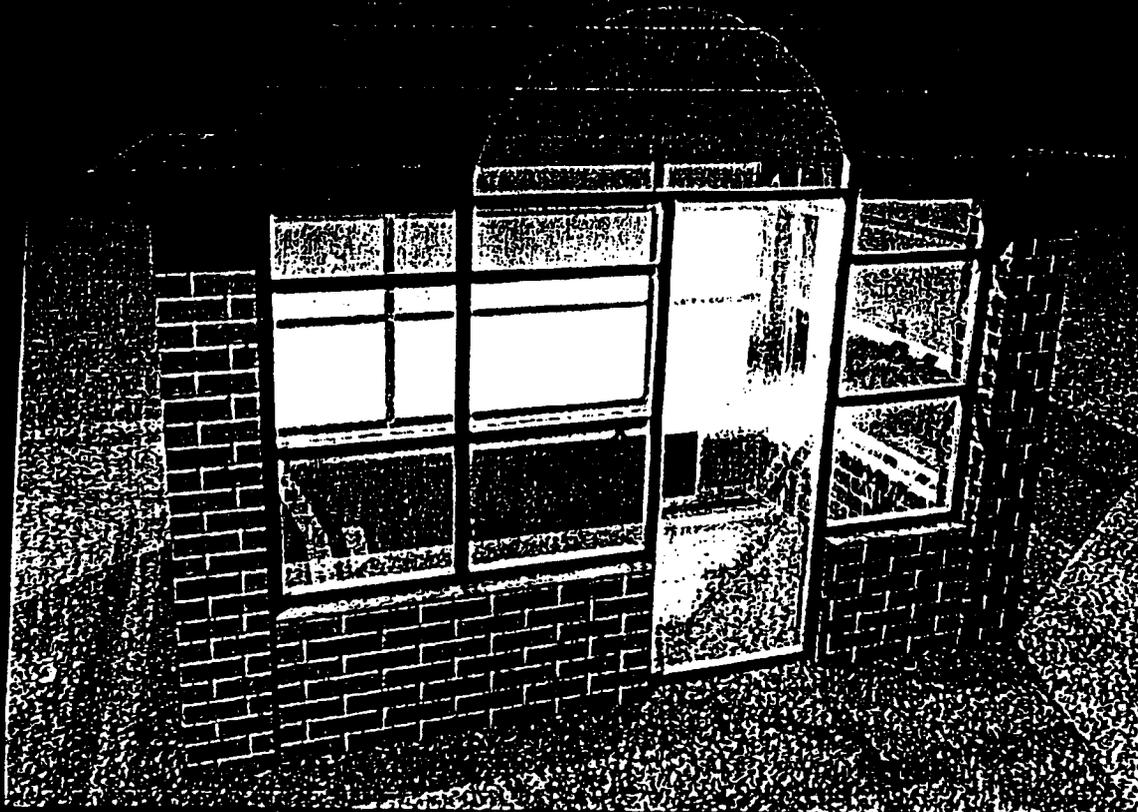
The major trees listed below represent the upright, columnar or pyramidal trees that could be adapted to street tree planting.

Other species may be considered on a case-by-case basis.

<u>Plant Name</u>	H = Height S = Spread	General Form
Acer platanoides 'columnare'	H = 30' - 40'	Columnar
Columnar Norway Maple	S = 15' - 20'	

Plant Name	H = Height S = Spread	General Form
<i>Acer platanoides</i> 'Schwedler'	H = 40' - 60'	Upright
Schwedler Norway Maple	S = 30'	
<i>Acer saccharum</i> Sugar Maple	H = 60' - 100' S = 50' - 80'	Upright
<i>Carpinus betulus</i> European Hornbeam	H = 40' - 60' S = 30' - 40'	Pyramidal
<i>Chamaecyparis</i> sp. Falsecypress	H = 50' - 70' S = 10' - 20'	Columnar
<i>Cryptomeria japonica</i> Japanese Cryptomeria	H = 50' - 60' S = 20' - 30'	Pyramidal
<i>Fraxinus pennsylvanica</i> Green Ash	H = 50' - 60' S = 25' - 30'	Upright
<i>Ginkgo biloba</i> Ginkgo	H = 50' - 70' S = 40'	Pyramidal
<i>Gleditsia triacanthos inermis</i> Locust Species	H = 50' - 70' S = 30'	Upright to Pyramidal
<i>Ilex opaca</i> American Holly	H = 18' - 40' S = 12' - 20'	Pyramidal
<i>Juniperus chinensis</i> Chinese Juniper	H = 60' - 75' S = 15' - 20'	Conical
<i>Juniperus scopulorum</i> Rocky Mountain Juniper	H = 30' - 40' S = 5' - 15'	Columnar

<u>Plant Name</u>	H = Height S = Spread	General Form
Juniperus virginiana Eastern Redcedar	H = 40' - 50' S = 8' - 20'	Upright
Larix decidua European Larch	H = 70' - 75' S = 25' - 30'	Pyramidal
Malus baccata Siberian Crabapple	H = 30' - 40' S = 15' - 20'	Broad
Nyssa sylvatica Black Tupelo	H = 30' - 50' S = 20' - 30'	Pyramidal
Picea glauca White Spruce	H = 40' - 60' S = 10' - 20'	Pyramidal
Pinus nigra Austrian Pine	H = 50' - 60' S = 20' - 40'	Pyramidal
Prunus sargentii Sargent Cherry	H = 40' - 50' S = 40'	Upright
Quercus palustris Pin Oak	H = 40' - 70' S = 25' - 40'	Pyramidal
Thuja occidentalis Eastern Arborvitae	H = 40' - 60' S = 10' - 15'	Pyramidal
Tilia cordata 'Greenspire' Greenspire Littleleaf Linden	H = 50' - 70' S = 20' - 25'	Narrow
Zelkova serrata Japanese Zelkova	H = 50' - 80' S = 40' - 60'	Vase



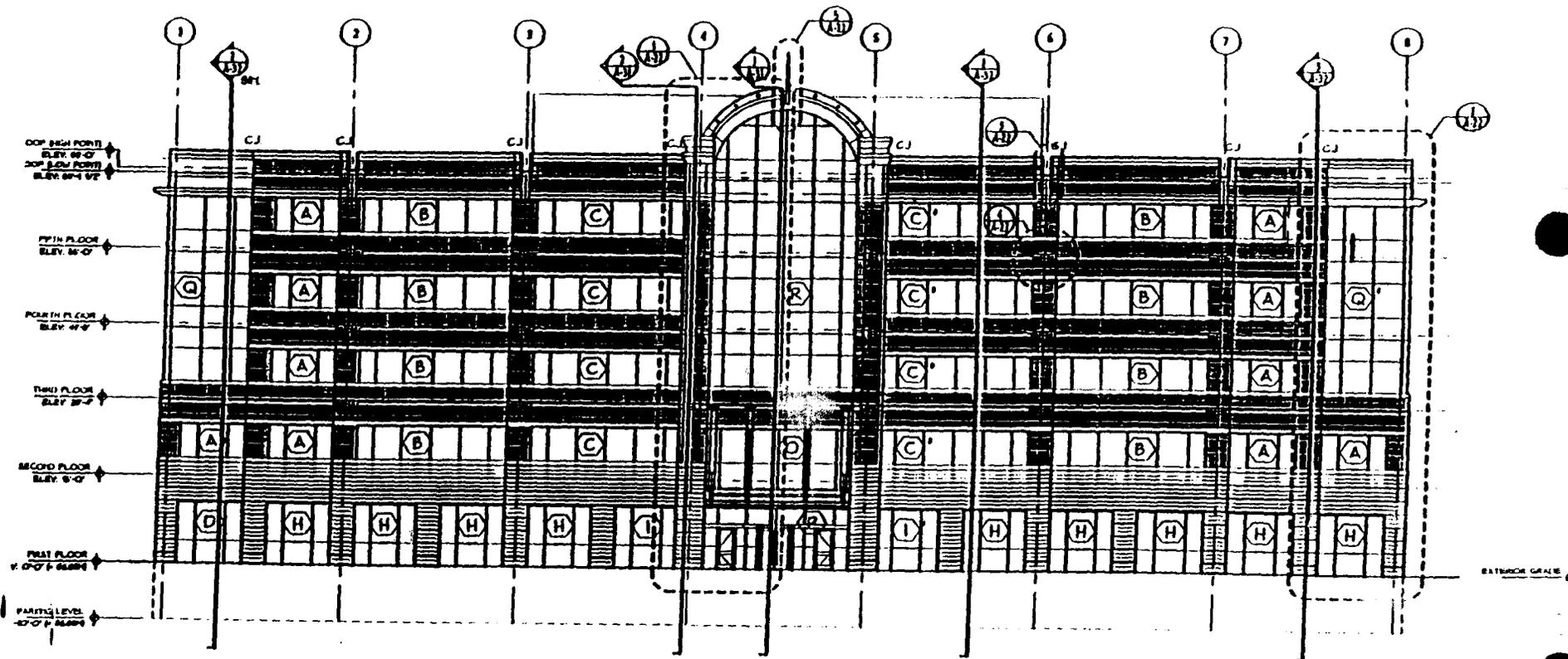
# METRO OFFICE PARK

— BUS SHELTER —



METRO PARK  
RZ/FDP 1998-LE-048

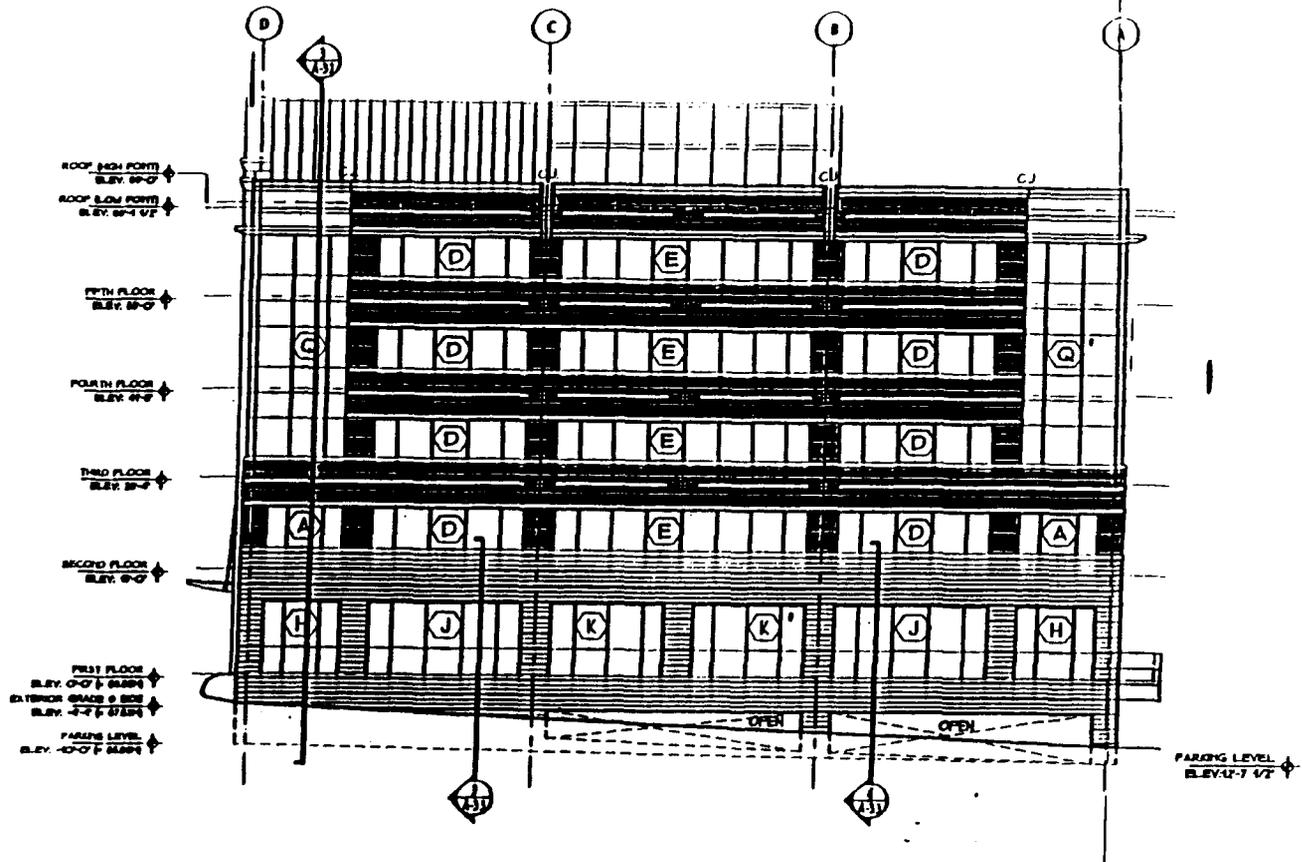
PROFFER EXHIBIT "D"



METRO PARK  
 Z/FDP 1998-LE-048

PROFFER EXHIBIT "C"

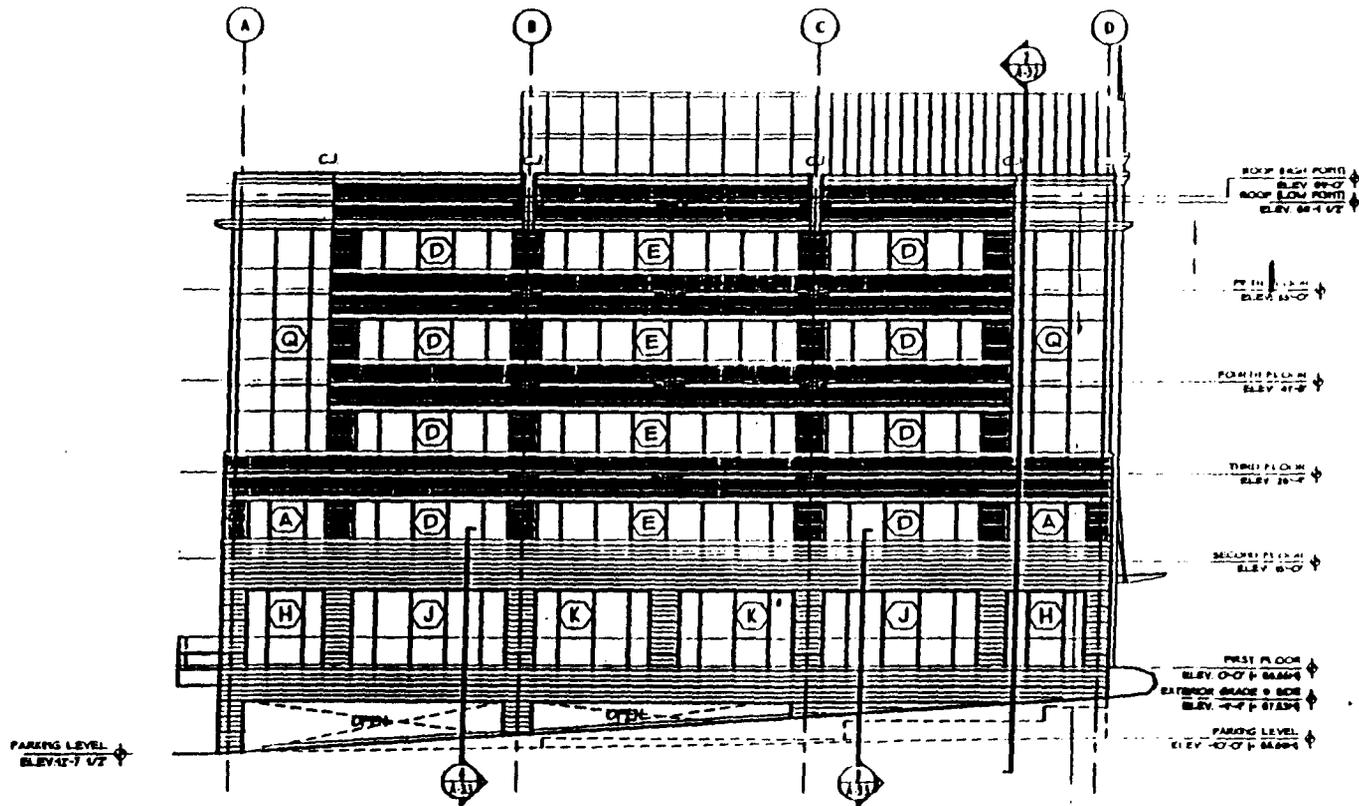
# EAST ELEVATION



# NORTH ELEVATION

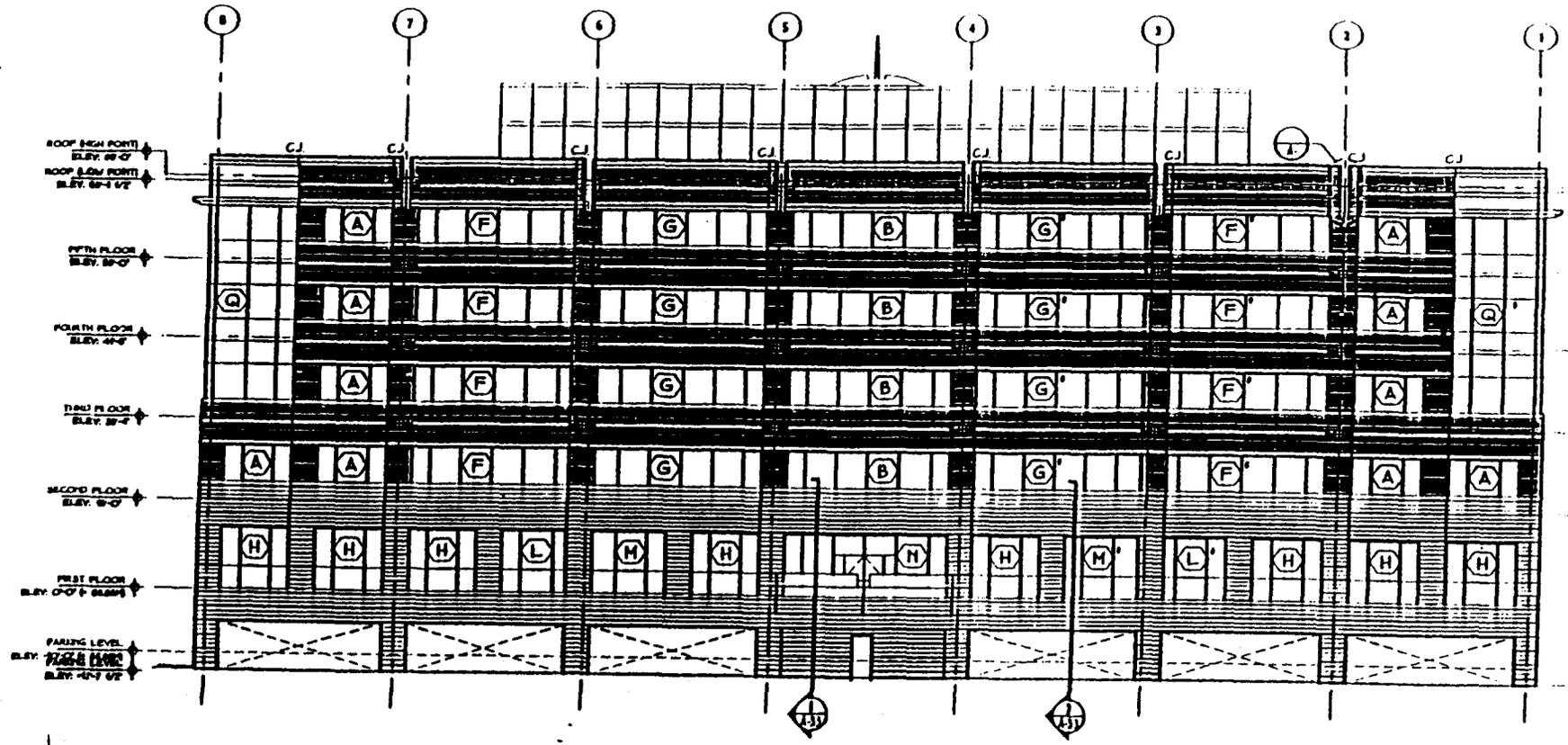
ETRO PARK  
/FDP 1998-LE-048

OFFER EXHIBIT "C"



# SOUTH ELEVATION

METRO PARK  
 RZ/FDP 1998-LE-048  
 PROFFER EXHIBIT "C"



# WEST ELEVATION

ETRO PARK  
/FDP 1998-LE-048

OFFER EXHIBIT "C"

27 24 12 19 27 1999  
1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650

N

METRO  
PARK

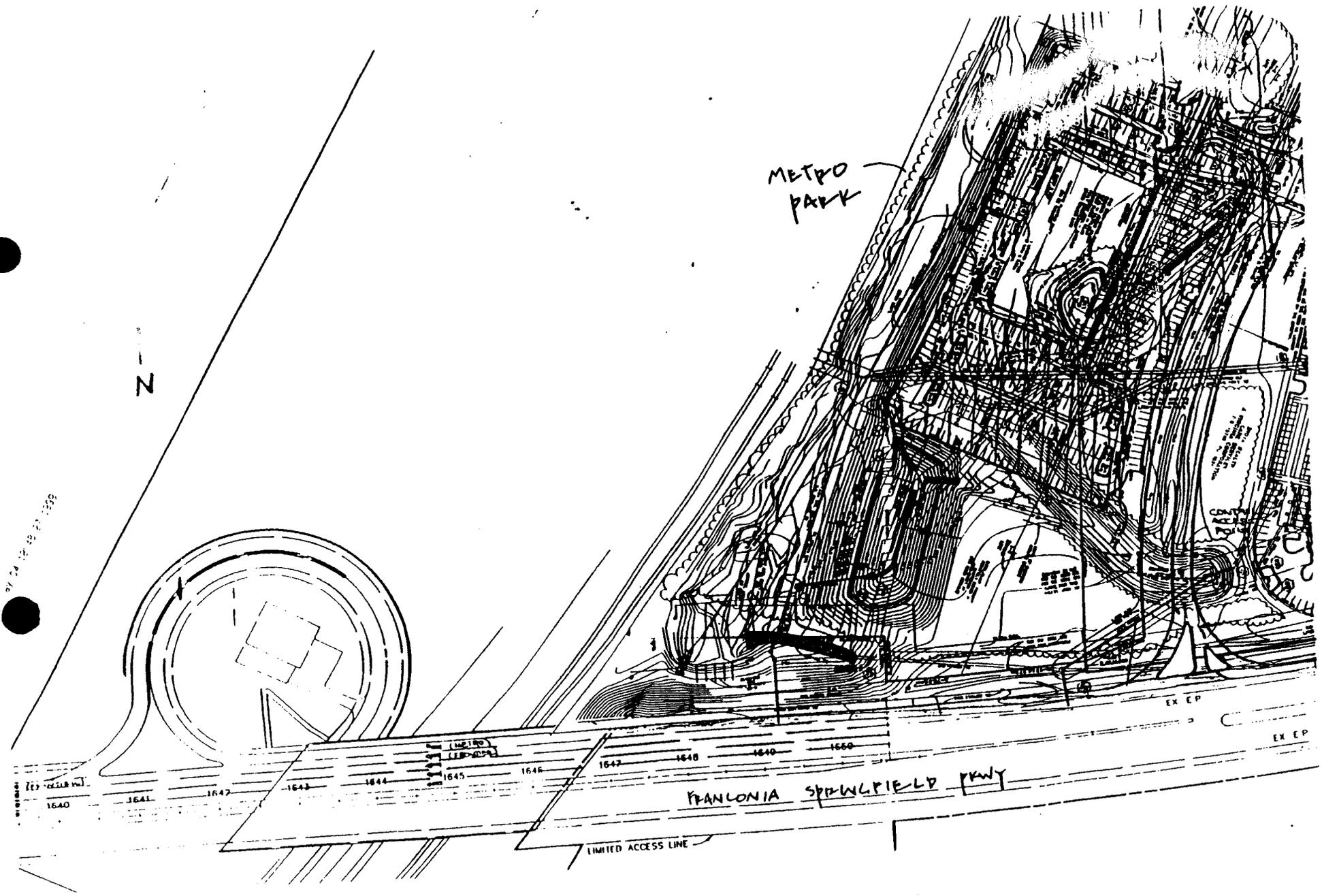
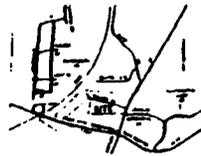


EXHIBIT C-1  
1999A

# METRO PARK

LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

## CONCEPTUAL DEVELOPMENT PLAN FINAL DEVELOPMENT PLAN ZONING PLAT



VICINITY MAP  
SCALE 1:25,000

APPLICANT:

**FRIED COMPANIES, INC.**  
6551 Loisdale Court Suite 900  
SPRINGFIELD, VIRGINIA 22150

OCTOBER 20, 1998  
Revised February 25, 1999  
Revised May 11, 1999  
Revised June 4, 1999  
Revised June 28, 1999



METRO PARK

CONCEPTUAL DEVELOPMENT PLAN  
FINAL DEVELOPMENT PLAN  
ZONING PLAT

**Dewberry & Davis**

1000 North 19th Street, Suite 200  
Arlington, Virginia 22209  
Tel: 703-907-1000 Fax: 703-907-1001

M-9941

DEVELOPMENT INDEX:

COVER SHEET  
TITLE AND TABULATIONS  
CONCEPTUAL DEVELOPMENT PLAN  
CONCEPTUAL DEVELOPMENT PLAN ALTERNATE LAYOUT  
CDD'S SECTION DETAILS  
BUFFER AREA DETAILS  
PEDESTRIAN CIRCULATION PLAN  
REGIONAL PEDESTRIAN TRAIL ACCESS  
ZONING PLAT

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Additional faint, illegible text on the right side of the main body, also appearing to be bleed-through.

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Dewberry & Davis  
REG. ATTORNEY AT LAW  
FAIRFAX COUNTY, VIRGINIA  
1001 MARKET STREET, SUITE 200  
FAIRFAX, VA 22033  
TEL: (703) 441-0100 FAX: (703) 441-0111

NOTES  
FRIED/METRO OFFICE PARK  
LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

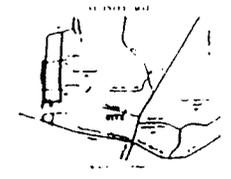
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PROJECT: [illegible]



SUBJECT OF CONCEPTUAL/  
FINAL DEVELOPMENT PLAN  
APPLICATION

EXISTING WAREHOUSES

SUBJECT OF CONCEPTUAL/  
FINAL DEVELOPMENT PLAN  
APPLICATION



METRO  
STATION

EXISTING RAILROAD TRACKS

NOT INCLUDED IN APPLICATION

EXISTING SINGLE FAMILY DETACHED RESIDENTIAL

CHURCH  
ST

PAGE 14  
OF 23  
DATE 02-10-11

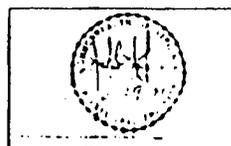
SUBJECT OF CONCEPTUAL/  
FINAL DEVELOPMENT PLAN  
APPLICATION

EXISTING TOWNHOUSE  
RESIDENTIAL

SHOPPING CENTER  
10000 S. 100th St.  
10000 S. 100th St.

DETAIL

1. ALL UTILITIES TO BE MAINTAINED AND PROTECTED.  
2. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.  
3. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 36" BELOW FINISHED GRADE.  
4. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 24" BELOW FINISHED GRADE.  
5. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 12" BELOW FINISHED GRADE.  
6. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 6" BELOW FINISHED GRADE.  
7. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 3" BELOW FINISHED GRADE.  
8. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 0" BELOW FINISHED GRADE.



LEGEND

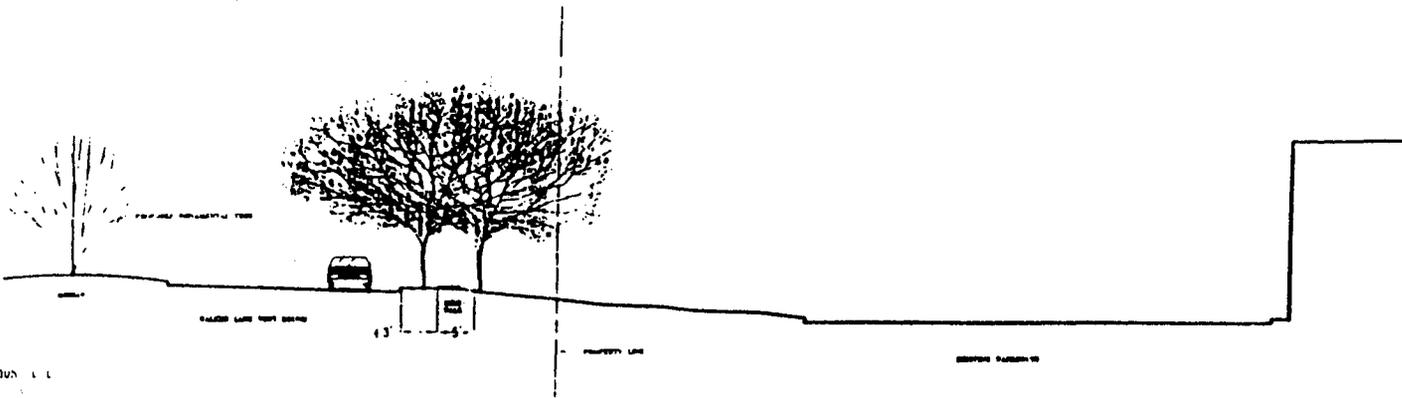
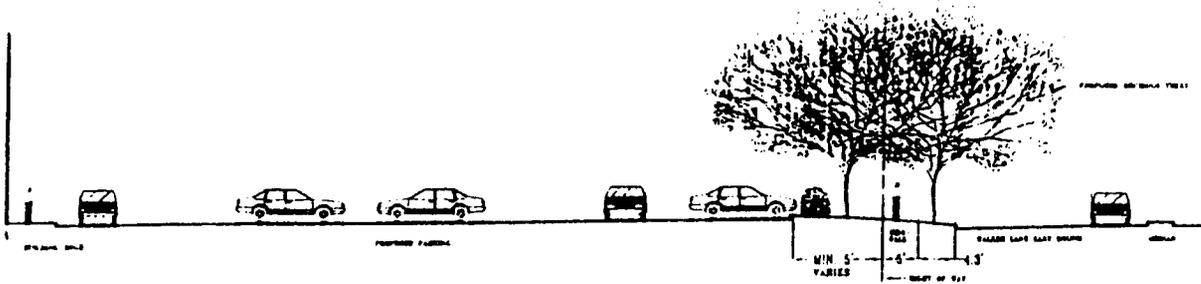
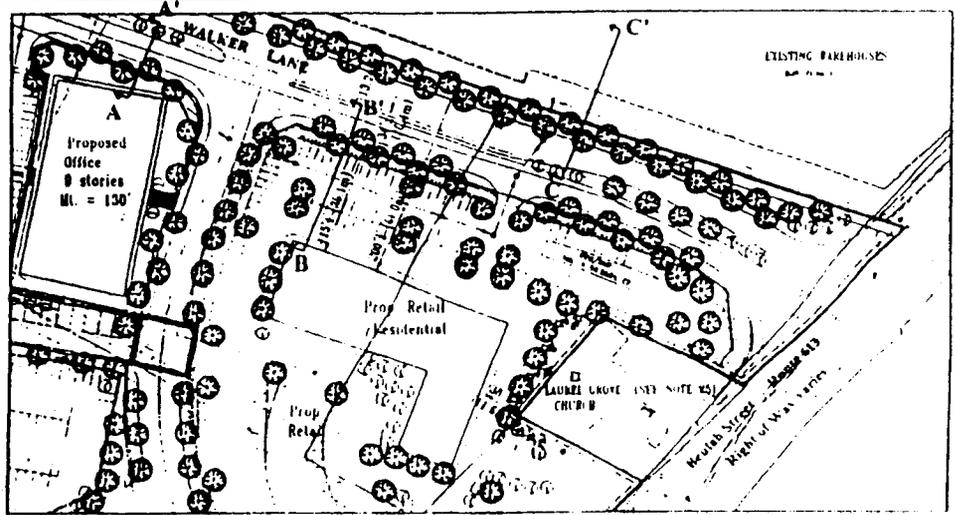
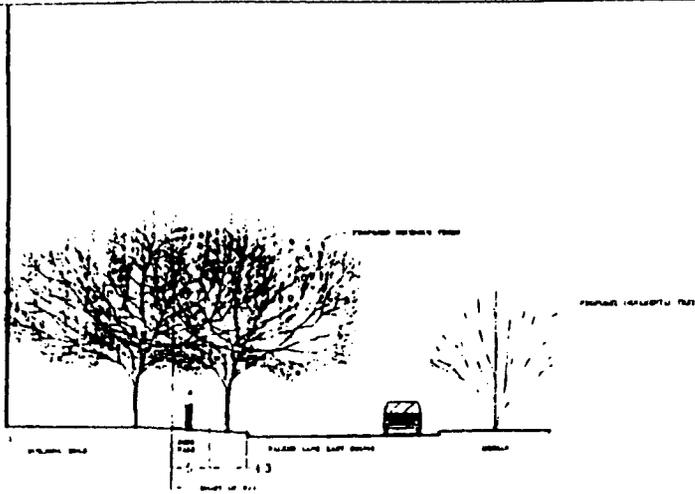
EXISTING SINGLE FAMILY  
DETACHED RESIDENTIAL

- EXISTING SINGLE TREE
- EXISTING SANDPINE TREE
- EXISTING WASTE MAIN
- EXISTING WASTE MAIN
- EXISTING SHADE STREET TREE
- EXISTING ORNAMENTAL TREE
- EXISTING EVERGREEN TREE
- EXISTING SIDEWALKS
- EXISTING LINE OF CLEANING AND GRADING
- EXISTING TREE SAW
- EXISTING PLANNED BICYCLE LANE (AS SHOWN HEREIN AS DEPICTED ON THE CAROLINA COUNTY TRAILS PLAN)

**Dewberry & Davis**  
INCORPORATED  
10000 S. 100th St., Suite 100  
Overland Park, KS 66210  
TEL: 913.666.1100 FAX: 913.666.1101  
WWW.D&D.COM

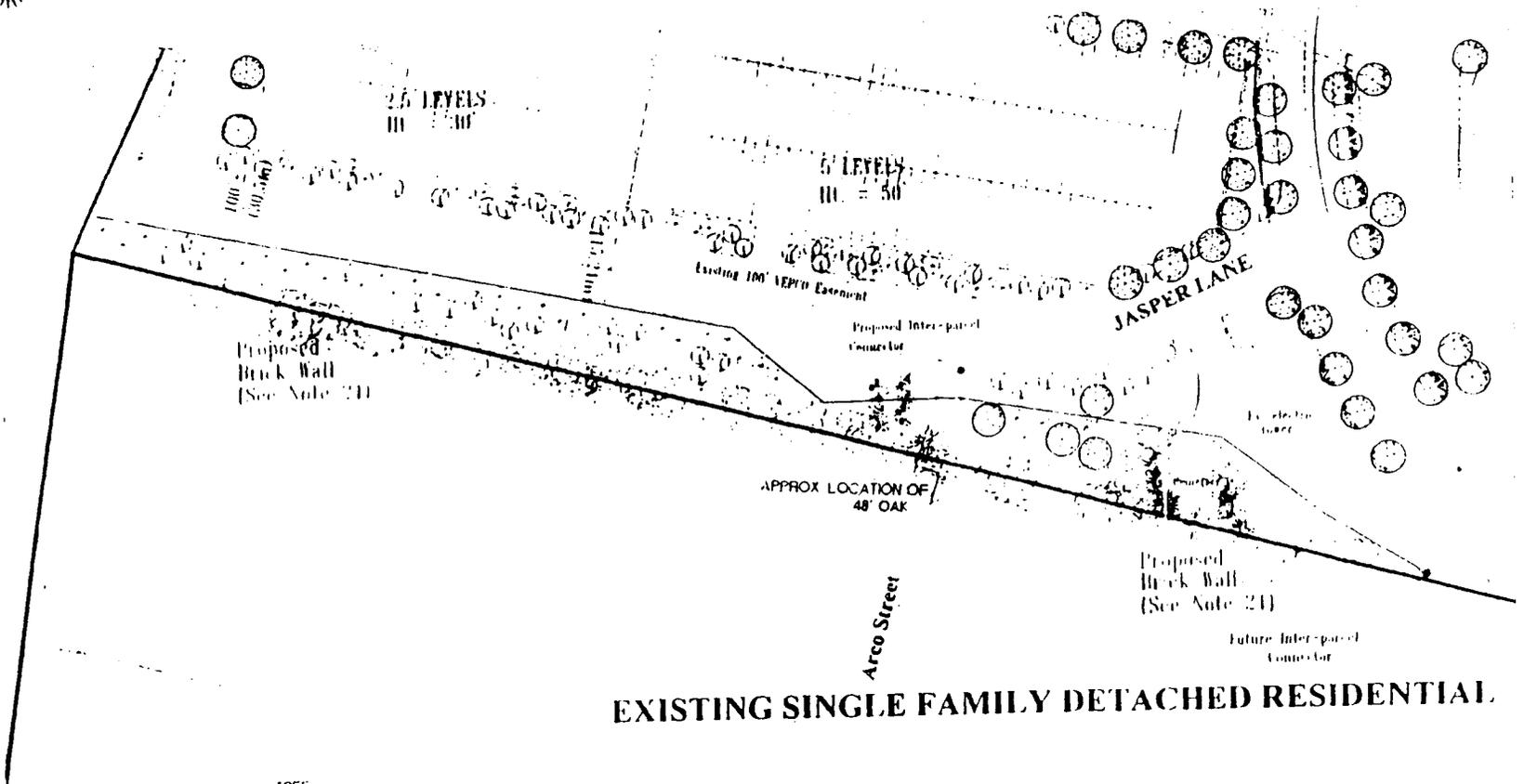
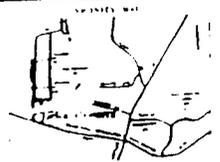
COMPOSITE DEVELOPMENT PLAN  
**FRIED/METRO OFFICE PARK**  
LEE DISTRICT





**Dewberry & Davis**  
 ARCHITECTS  
 1001 WASHINGTON BLVD. SUITE 1000  
 FALLS CHURCH, VA 22044  
 TEL: 703/846-0117

CROSS SECTIONS  
**FRIED/METRO OFFICE PARK**  
 LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

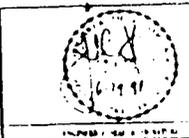


**EXISTING SINGLE FAMILY DETACHED RESIDENTIAL**

**TREE**

Tree ID	Species	DBH	Height	Health	Notes
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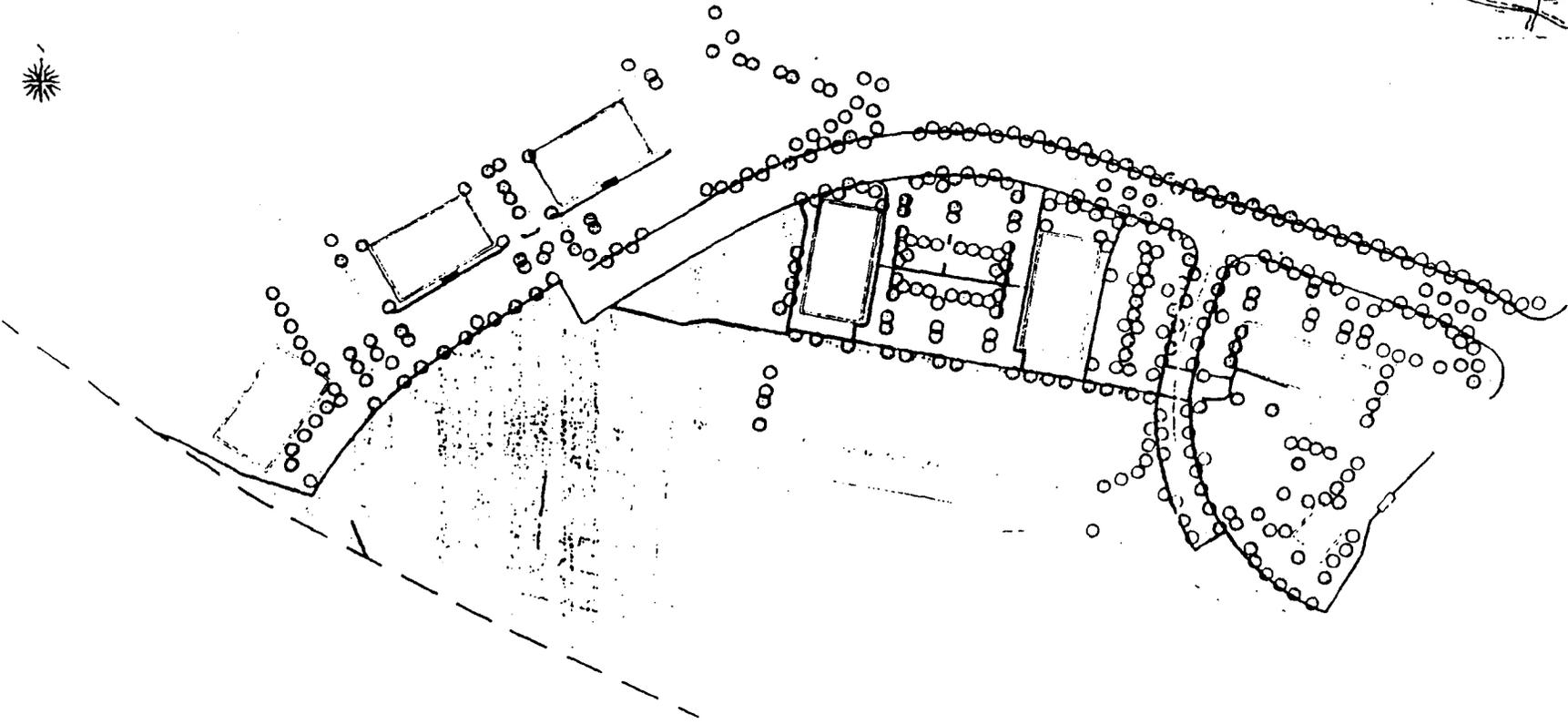
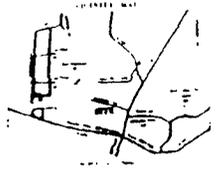
- LEGEND**
- EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - EXISTING WATER MAIN
  - PROPOSED WATER MAIN
  - PROPOSED SHADE/STREET TREES
  - PROPOSED ORNAMENTAL TREE
  - PROPOSED EVERGREEN TREE
  - PROPOSED SIDEWALKS
  - POSSIBLE LIMITS OF CLEARING AND GRADING
  - POSSIBLE TREE SAVE
  - EXISTING PLANNED BICYCLE/TYPE 1 ASPHALT TRAIL AS DEPICTED ON THE FAIRFAX COUNTY TRAILS PLAN



**Dewberry & Davis**  
 1000 North 19th Street, Suite 1000  
 Arlington, VA 22209  
 Phone: 703-243-8800  
 Fax: 703-243-8801  
 www.dewberry.com

PROJECT: FRIED/METRO OFFICE PARK  
 SHEET: 100-100-100-100

Note: All trees with the exception of #21 & #20 will be saved

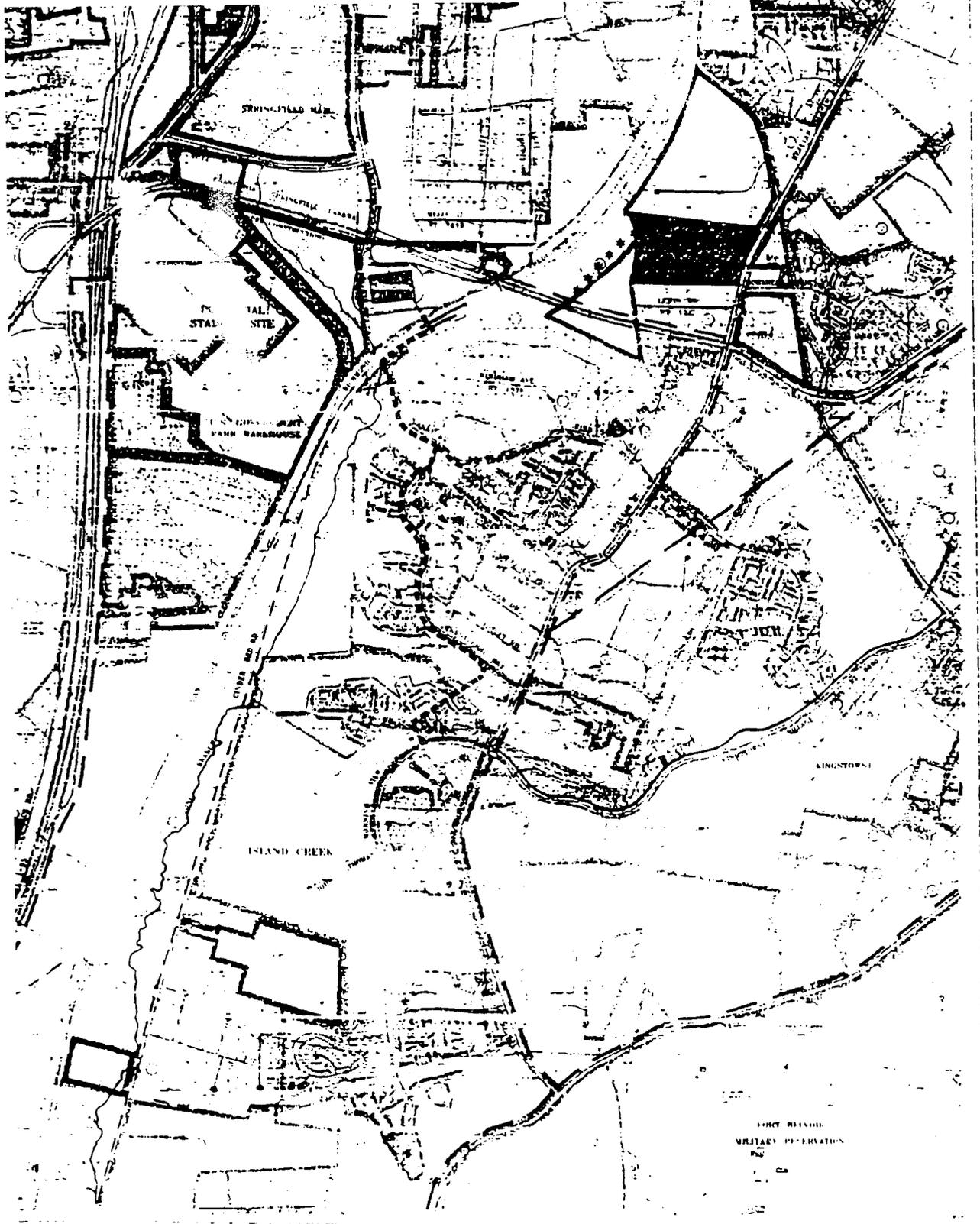


- LEGEND
- EXISTING BUILDING FOOTPRINT
  - PROPOSED BUILDING FOOTPRINT
  - EXISTING PAVED DRIVE
  - PROPOSED PAVED DRIVE
  - PROPOSED SIDEWALK
  - PROPOSED BIENNAL TREE
  - PROPOSED EVERGREEN TREE
  - PROPOSED SHRUBS
  - PROPOSED LIMITS OF CLEARING AND GRASS
  - EXISTING UTILITY
  - EXISTING PLANTER BENCH TYPE 1 PLANTER BENCH AS DEPICTED ON THE FARMAN COUNTY ZONING PLAN



**Dewberry & Davis**  
 INCORPORATED  
 1000 WILSON BLVD., SUITE 200  
 FARMAN COUNTY, VIRGINIA 22431  
 PHONE: 540-345-1100 FAX: 540-345-1101  
 WWW.D&DVA.COM

PROPOSED CIRCULATION PLAN  
**FRIED/METRO OFFICE PARK**  
 FARMAN COUNTY, VIRGINIA  
 11-18-11



REGIONAL FUTURE HIGHWAY ACCESS

FRANCONIA-SPRINGFIELD TRANSPORTATION CENTER AND SURROUNDING COMMUNITIES

NOTE: THIS PLAN IS BASED ON THE 1970 U.S. CENSUS DATA AND THE 1970 U.S. GEOGRAPHIC NAME BOOK.

LEGEND

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FAIRFAX  
COUNTY

APPENDIX 6  
OF  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151  
FAX: 703-324-3926  
TTY: 703-324-3903

February 16, 2001

Barbara June Fried, Esquire  
6551 Loisdale Court – Suite 900  
Springfield, Virginia 22150

RE: Proffered Condition Amendment  
Number PCA 1998-LE-048

Dear Ms. Fried:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 5, 2001, approving Proffered Condition Amendment PCA 1998-LE-048 in the name of MPE LLC to amend the proffers for RZ 1998-LE-048, approved for office development to permit an increase in building height with an overall Floor Area Ratio (FAR) of 0.62, on subject parcel 91-1 ((1)) Pt. 11B1 (formerly 91-1 ((1)) 11B), subject to the undated proffers found in Appendix 1 of the Staff Report, consisting of approximately 1.66 acres located in Lee District.

The Conceptual Development Plan was approved; the Planning Commission having previously approved FDPA 1998-LE-048 on February 1, 2001, subject to the Board's approval of PCA 1998-LE-048.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

PCA 1998-LE-048  
February 16, 2001

- 2 -

cc: Chairman Katherine K. Hanley  
Supervisor Lee District  
Hunter Mill District Planning Commissioner  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acq. & Planning Div., Park Authority  
James Patteson, Acting Director, Facilities Mgmt. Div., DPW&ES  
Barbara J. Lippa, Executive Director, Planning Commission

**PARTIAL PROFFERED CONDITION AMENDMENT**

**PCA 1998-LE-048**

**FDPA 1998-LE-048**

*Pursuant to an Ordinance adopted August 2, 1999, by the Board of Supervisors, Rezoning Application RZ 1998-LE-048, including the Final Development Plan, FDP 1998-LE-048 and the modifications, waivers, and conditions therein contained was approved subject to the Proffers dated July 30, 1999. The Applicant wishes to amend the approved CDP/FDP and Proffer # 12 as they apply to one parcel, consisting of 72,544 square feet, and to reaffirm all of the other proffers, contingent on retaining the zoning with all attendant modifications, waivers, and conditions as approved.*

*Pursuant to the provisions of Section 15.2-2302, Code of Virginia, 1950 as amended the Applicant for itself, its successors and assigns, agrees that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia in accordance with applicable County and State statutory procedures these, if accepted, proffers supersede all previous proffers or development conditions on the Property. The Applicant further agrees that these proffers shall remain fully binding on the Applicant and its successors or assigns and any and all future owners of the Property. The proffered conditions are:*

*The Applicant agrees that the development will be in substantial conformance with the submitted CDP/FDP (including either Alternative "A" and "B") dated November, 1998 and revised through June 28, 1999, and as amended by Conceptual/Final Development Plan dated September 25, 2000 (FDPA). Subject to the proffers and the provisions of Sections 18-204 and 16-403 of the Zoning Ordinance, the Applicant reserves the right to make minor modifications to the approved development plan in order to address engineering and architectural issues at the time of final site plan approval.*

- 1. All of the proffers numbered 1 through 11, both inclusive, and proffers numbered 13 through 36, both inclusive, are hereby reaffirmed.*
- 2. Proffer numbered 12 is hereby amended as follows:*

12A Buildings shall not exceed the height shown on the CDP/FDP except that the building identified as North Office (A) shall not exceed the height of 55 feet as shown on the FDPA. (Provided, however, the calculation of building height shall exclude parapet walls and all other structures specified in Section 2-506 of the Zoning Ordinance.) The height of the parking structures shall not exceed 50 feet, and the hotel suites shall not exceed 61 feet. The Child Care facility shall not exceed 40 feet in height.

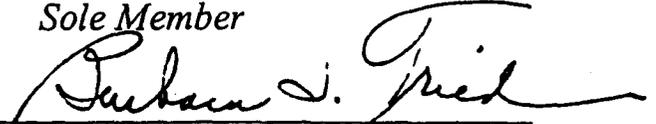
APPLICANT/OWNER

MPE LLC

By METRO PARK ASSOCIATES LLC

Sole Member

By



Barbara J. Fried, Manager

## COUNTY OF FAIRFAX, VIRGINIA

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** Comprehensive Plan Land Use Analysis for:  
PCA 1998-LE-048-2 concurrent with FDPA 1998-LE-048-1-2  
MPW LLC, **Addendum**

**DATE:** 25 June 2003

This memorandum is an addendum to the May 2, 2003 memorandum concerning this PCA and FDPA application and is based on the evaluation of the application and development plan dated June 10, 2003. This application requests a proffered condition amendment and a final development plan amendment for a 120,000-square foot office building including a 10,000-square foot child care facility with a height of 72 feet and a museum. Approval of this application would result in a floor area ratio (F.A.R.) of .60, based upon the original site area before dedication for parks and roads. The previously identified issues are discussed in the following section:

Use and Intensity - The application and development plan proposes to change the previously approved hotel building at a height of 60 feet with retail uses and a separate child care center to a 120,000 square foot office building (including a 10,000-square foot child care center) with a height of 72 feet, and a parking garage with a height of 55 feet.

The land area used to calculate the allowable intensity for Metro Park is approximately 40.88 acres, which includes the original 37.17 acres included in RZ 1998-LE-048 and 3.71 acres of intensity credit for the dedication of right-of-way for Walker Lane. The 29.23-acre application property represents the original application property less land dedication for parks and roads. Based on the Comprehensive Plan recommendation of an FAR of .55 augmented by 110,000 square feet for office use and a child care center, the maximum recommended gross floor area is 1,089,470 square feet on 40.88 acres (.61 FAR). The application and development plan propose an office use, child care facility and a museum up to 1,075,270 square feet of gross floor area (.60 FAR), which is in conformance with the use and intensity recommendations of the Comprehensive Plan

Building Height - The Comprehensive Plan establishes the building height for this area at a maximum of 12 stories, tapering down to a maximum of approximately 60 feet for structures set back 150 feet from Beulah Street and a maximum of 40 feet for structures closer than 150 feet to

Beulah Street. This plan development criterion establishes height guidance that transitions from higher intensity development at 12 stories in the center of Land Unit A and B to lower intensity development at heights of 60 and 40 feet toward Beulah Street, adjacent Lewin Park (single-family detached homes) and historic Laurel Grove Baptist Church. The development plan shows a 72-foot office building set back 150 feet from the right of way boundary for Beulah Road. Since the building height should be graduated from the 150-foot setback, the proposed building height of 72 feet is acceptable for the proposed structure.

Landscaping – The applicant has provided a landscaping plan for the proposed development. In the previous development plan there was a lack of landscaping within the Beulah Street streetscape as well as a lack of supplemental plantings along the eastern boundary of the subject property. The revised development plan shows supplemental plantings along the eastern boundary of the subject property; however, it does not show streetscape landscaping along Beulah Street. The applicant should provide streetscape landscaping along Beulah Street. The applicant should also provide landscaping along the perimeter of the play area for the child care facility.

Child Care Facility – The application proposes a 10,000-square foot child care facility for 150 children to be located within the proposed office building with a 5,000-square foot play area. However, the applicant's development plan does not show reserved pick up and drop off parking spaces near the entrance of the proposed child care facility.

PGN:ALC

## COUNTY OF FAIRFAX, VIRGINIA

### MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *P&H*  
Environment and Development Review Branch, DPZ

**SUBJECT:** Comprehensive Plan Land Use Analysis for:  
PCA 1998-LE-048-2 concurrent with FDPA 1998-LE-048-1-2  
MPW LLC

**DATE:** 2 May 2003

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and development plan dated March, 2002. This application requests a proffered condition amendment and a final development plan amendment for a 150,000-square foot office building including a 10,000-square foot child care facility with a height of 85 feet and a museum. Approval of this application would result in a floor area ratio (F.A.R.) of .62 based upon the original site area before dedication for parks and roads. The extent to which the proposed use, intensity and the development plan are consistent with the guidance of the Plan is noted.

#### CHARACTER OF THE SURROUNDING AREA

The subject property for PCA 1998-LE-048-2 and FDPA 1998-LE-048-1-2, known as Metro Park, encompasses 29.23 acres and is partially developed with office buildings and a school house museum, planned for residential use at 3-4 dwelling units per acre with an option for office use with support retail up to .55 FAR augmented by up to 110,000 square feet for office use and a possible child care center and zoned PDC. The area affected by the amendment proposal is 5.03 acres within the PCA boundaries and is vacant except for a school house museum. An electric power easement crosses the site with two towers on the property. Industrial uses are located to the north, planned for industrial use and zoned I-4. Two churches (Laurel Grove Baptist Church and Calvary Road Baptist Church) are located to the east, planned for residential use at 1-2 dwelling units per acre and public facilities, institutional and governmental uses, respectively and zoned R-1, and R-1 and R-3, respectively. Single-family detached homes in Lewin Park are located to the south, planned for alternative uses and residential use at 1-2 dwelling units per acre and R-1. A railroad right-of-way and WMATA right-of-way are located to the west and zoned R-1.

## COMPREHENSIVE PLAN CITATIONS

The 29.23-acre property is located in the Beulah Community Planning Sector (S9) of the Springfield Planning District in Area IV. The Comprehensive Plan text and/or map provide the following guidance on the land use and the intensity/density for the property:

### **Text:**

In the Fairfax County Comprehensive Plan, Area IV, 2003 Edition, Springfield Planning District as amended through February 10, 2003, S9 Beulah Community Planning Sector, Land Use Recommendation #1, on pages 88 through 92, the Plan states:

- “1. The area of approximately 64 acres generally located in the northwest quadrant of Franconia-Springfield Parkway and Beulah Street consists of an older residential neighborhood and land zoned for industrial use (I-4 and I-5). Access to the industrial area is available only through the residential neighborhood due to a limited access easement along the Franconia-Springfield Parkway. This area is located in close proximity to the Joe Alexander Transportation Center. Given the unique characteristics of the site, additional planning objectives for this area are to resolve the issue of land use compatibility and promote transit oriented development at this location. The area is divided into Land Units A, B, and C as depicted on Figure 46...

### **LAND UNIT B**

The area north of Lewin Park, west of Beulah Street, and south of the industrial uses along Gravel Avenue is planned for residential use at 3-4 dwelling units per acre at the baseline. If consolidation of all parcels occurs, office or hotel use up to .25 FAR may be appropriate if a buffer, at least 25 feet in width, and a 7-foot brick wall are provided to assist in creating a transition to the residential community to the south. The buffer should contain evergreen trees to provide year round screening.

### **OPTION FOR LAND UNITS A & B**

As an option, office with support retail uses up to .55 FAR and up to 110,000 gross square feet total for office with an option for a child care center may be appropriate, if at least 15 acres of Land Unit A and all of Land Unit B are consolidated to create a mix of uses on the site and provide a transition to development along Beulah Street. To assist in creating the transition, the office and child care uses are envisioned to be located in the eastern portion of Land Unit B near Beulah Street. In addition, the following conditions should be met:

### **Land Use/Design**

- The development features a coordinated plan under a single application or concurrent applications which provides for high quality and coordinated architecture, streetscape treatment, and signage; efficient, internal vehicular circulation; efficient vehicular access; and usable open space such as urban parks and/or plazas;..

- Building height is a maximum of 12 stories, tapering down to a maximum of approximately 60 feet for structures set back 150 feet from Beulah Street and a maximum of 40 feet for structures closer than 150 feet to Beulah Street;
- Retail uses are limited to support uses, such as dry cleaners and restaurants, that are functionally integrated within other buildings;...
- Until such time as Land Unit C redevelops with non-residential uses, a minimum 25-foot vegetated buffer and a 7-foot brick wall are provided to assist in creating a transition to the existing residential community. The buffer should contain evergreen trees to provide year round screening. See additional text under 'Transportation/Access' for guidance pertaining to the possible conversion of the buffer to a road under certain conditions;
- Parking structures are well landscaped with trees and shrubs in order to provide a buffer to the surrounding office and hotel uses and Lewin Park;
- Site lighting is located, directed, and designed to reduce glare and minimize impact onto the adjacent residential property;....”

Attached is the following Policy Plan citation: Appendix 3: Locational Guidelines for Child Care Facilities which is part of the basis for the following discussion.

**Map:**

The Comprehensive Plan map shows that the property is planned for alternative uses.

**ANALYSIS**

The application and development plan proposes to change the previously approved hotel building at a height of 60 feet with retail uses and a separate child care center to a 150,000 square foot office building (including a 10,000-square foot child care center) with a height of 85 feet, and a parking garage with a height of 55 feet.

The land area used to calculate the allowable intensity for Metro Park is approximately 40.88 acres, which includes the original 37.17 acres included in RZ 1998-LE-048 and 3.71 acres of intensity credit for the dedication of right-of-way for Walker Lane. The 29.23-acre application property represents the original application property less land dedication for parks and roads. Based on the Comprehensive Plan recommendation of an FAR of .55 augmented by 110,000 square feet for office use and a child care center, the maximum recommended gross floor area is 1,089,470 square feet on 40.8828 acres. The application and development plan propose 1,105,270 square feet of gross floor area. Therefore, the development plan proposes an intensity which exceeds the maximum intensity recommended by the Comprehensive Plan by 15,800 square feet of gross floor area. Thus, this proposal is not in conformance with the intensity recommendation of the Comprehensive Plan.

The Comprehensive Plan establishes the building height for this area at a maximum of 12 stories, tapering down to a maximum of approximately 60 feet for structures set back 150 feet from Beulah Street and a maximum of 40 feet for structures closer than 150 feet to Beulah Street. This plan development criterion establishes height guidance that transitions from higher intensity development at 12 stories in the center of Land Unit A and B to lower intensity development at heights of 60 and 40 feet toward Beulah Street, adjacent Lewin Park (single-family detached homes) and historic Laurel Grove Baptist Church. The development plan shows an 85-foot office building with a corner set back 110 from the right-of-way boundary for Beulah Road. Therefore, a portion of the 85-foot building is to be located in an area with a recommended height limitation of 40 feet and a majority of the building immediately under and adjacent to the area with a height limitation starting at 60 feet and transitioning up to 12 stories in the western portion of the site.

To be in conformance with the Plan recommendations on intensity and building height, the applicant should reduce the proposed gross floor area by 15,800 square feet and relocate and/or redesign the proposed office building to reduce its height so that it transitions downward to meet the maximum recommended height of 60 feet for structures at the 150-foot set back from the Beulah Street right-of-way boundary.

Landscaping – The applicant has provided a landscaping plan for the proposed development. The applicant has provided foundation plantings for the proposed office building and parking structure as well as around the proposed play area for the child care facility. Additional landscaping provides a buffer around historic Laurel Grove Baptist Church. Parking lot landscaping is also provided. Furthermore, the development plan provides for streetscape plantings along Walker Lane and Metro Park Drive. The proposed landscaping is generally adequate; however, the applicant should provide landscaping along the Beulah Street streetscape as well as supplemental plantings along the eastern boundary of the subject property.

Buffering – The Comprehensive Plan text specifically recommends that a minimum 25-foot vegetated buffer and a 7-foot brick wall be provided to create a transition to the existing residential community located to the south of Land Unit B. In accord with this Plan recommendation, the development plan shows a previously approved 7-foot brick wall and 25-foot evergreen vegetated buffer along the electrical power easement which is adjacent to the residential development located to the south.

Child Care Facility – The application proposes a 10,000-square foot child care facility for 150 children to be located within the proposed office building with a 5,000-square foot play area. The site-specific Plan recommendations recognize that a child care center may be appropriate for this location. However, the applicant has not provided any information as to the exact location and configuration of the proposed child care facility within the office building or the pick up and drop off area. In order to evaluate the proposed child care facility with the Locational Guidelines

Barbara A. Byron, Director  
PCA 1998-LE-048-2, etc.  
Page 5

for Child Care Facilities the applicant should provide the additional information requested. The development plan does show an acceptable play area (which is enclosed by a 7-foot fence) for the proposed child care facility.

PGN:ALC

## Attachment

### Other Comprehensive Plan Citations:

In the Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Land Use as amended through September 9, 2002, Appendix 3, Locational Guidelines for Child Care Facilities, on page 17, the Plan states:

- “1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.
2. Child care facilities should be located and designed to ensure the safety of children.
3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.
4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.
5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.
6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above.”

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ

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

**FILE:** 3-4 (RZ 98-LE-048)

**SUBJECT:** Transportation Impact Addendum

**REFERENCE:** PCA 98-LE-048-02; FDPA 98-LE-048-01-02; MPW LLC  
Traffic Zone: 1487  
Land Identification Map: 91-1 ((1)) 23, 24, 26, and 27

**DATE:** June 27, 2003

The following comments reflect the analyses of the Department of Transportation. These comments are based on the development plan revised to June 10, 2003 and various transportation analyses and count data submitted by the applicant. The applicant is seeking approval to modify the approved plans and proffers in order to construct 150,000gsf of office space with the option for a child care facility within the office building. The approved plans permit construction of a 102,000gsf hotel plus up to 18,000gsf of ancillary retail space.

The primary transportation concern relates to the change in peak hour trips and direction of travel associated with the proposed change in use. The proposed changes in use are expected to result in an overall increase in peak hour trips, and in particular an increase of approximately 125 inbound trips during the a.m. peak hour and 100 outbound trips during the p.m. peak hour of adjacent street traffic. As such the following transportation phasing commitments should be initiated or carried forward, and implemented prior to the issuance of a Non-RUP for the requested uses.

1. Construction of a second eastbound left turn lane on the Franconia-Springfield Parkway at Beulah Street.
2. Completion of the proposed Metro Park Drive between Walker Lane and Beulah Road, with signalization at the intersection with Beulah Road at such time as signalization is warranted.

AKR/CAA

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

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: **PCA 1998-LE-048-02**  
**MPW LLC** **FDPA 1998-LE-048-01-02**

**DATE:** 4 March 2003

This application proposes to construct a six (6) story, one hundred fifty thousand (150,000) square foot office building at eighty-five (85) feet in height in lieu of the approved one hundred two thousand two hundred (102,200) square foot hotel at sixty-one (61) feet in height. This application also requests a 10,000 square foot-childcare center (maximum of 150 children) within the proposed office building. The originally approved application included a seven thousand two hundred (7,200) square foot, freestanding childcare center not to exceed ninety-nine (99) children.

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the revised generalized development plan, dated February 13, 2003. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On pages 91 through 93 of the 2000 Edition of the Policy Plan, under the heading "Water Quality", the Comprehensive Plan states:

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

Policy a. Maintain a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: ...those which preserve as much undisturbed open space as possible; and those which contribute to ecological diversity..."

On page 94 of the 2000 Edition of the Policy Plan, under the heading "Water Quality" the Comprehensive Plan states:

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

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

On pages 95 and 96 of the 2000 Edition of the Policy Plan, under the heading "Noise", the Comprehensive Plan states:

" . . . Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are 65 dBA  $L_{dn}$  for outdoor activity areas; 50 dBA  $L_{dn}$  for office environments; and 45 dBA  $L_{dn}$  for residences, schools, theaters and other noise sensitive uses . . . .

**Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.**

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise . . . ."

New development should not expose people in their homes, or other noise sensitive environments to noise in excess of 45 dBA  $L_{dn}$ , or to noise in excess of 65 dBA  $L_{dn}$  in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between 65 and 75 dBA  $L_{dn}$  will require mitigation..."

On page 96 of the 2000 Edition of the Policy Plan under the heading "Light Pollution," the Comprehensive Plan states:

**“Objective 5: Minimize light emissions to those necessary and consistent with general safety.”**

Policy a. Recognize the nuisance aspects of unfocused light emissions.”

On page 101 of the 2000 Edition of the Policy Plan under the heading “Environmental Resources”, the Comprehensive Plan states:

“The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County’s tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County’s tree cover.

**Objective 11: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

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

## **ENVIRONMENTAL ANALYSIS:**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities.

**Water Quality Best Management Practices:** The applicant has indicated in Note #19 of the development plan that stormwater quality and quantity will be addressed by underground facilities. However, few details have been provided by the applicant demonstrating how the current requested changes in this application differ relative to the overall currently approved imperviousness of the site. In the event that these requested changes involve an increase in impervious surface over the previously approved plan, then the applicant is asked to demonstrate what water quality measures are proposed to handle the additional imperviousness.

**Highway Noise:** A highway noise analysis was performed for Beulah Street (Route 613). The analysis produced the following noise contour projections (note DNL dBA is equivalent to dBA  $L_{dn}$ ):

65 dBA $L_{dn}$	186 feet from centerline
70 dBA $L_{dn}$	86 feet from centerline

The outdoor play area for the child care center falls on the outside edge of the 65-70 dBA  $L_{dn}$  impact area. The current development plan depicts a seven (7) foot high fence around the entire play area. The applicant should demonstrate that the proposed fence is generally in conformance with the Policy Plan guidance which recommends mitigating highway-generated noise in excess of 65 dBA  $L_{dn}$  in outdoor recreation areas.

**Lighting:** The development plan provides little information regarding lighting details for this proposed development. To ensure conformance with the Comprehensive Plan policy to minimize unfocused light emissions, the applicant is encouraged to provide more information regarding all aspects of lighting. Fully shielded (cutoff) lights which avoid glare and light trespass on adjacent properties are desirable, as are fixtures which avoid excessive illumination. Regarding signage, the applicant is encouraged to provide internal, moderate illumination or external illumination projecting from the top of the sign downward.

Finally, it is recommended that the applicant consult the *Illuminating Engineers Society of North America* to determine acceptable lighting guidelines for this development.

**Tree Restoration:** The applicant is asked to demonstrate that the proposed changes do not reflect a reduction in the amount of landscaping which was shown on the originally approved development plan. Landscaping is not only a requirement of the Zoning Ordinance for screening purposes, but it also provides an aesthetic element as well as a complement to water quality protection infrastructure measures.

#### **TRAILS PLAN:**

The Trails Plan Map does not depict any trails immediately adjacent to the subject property. The Director, DPWES will determine what, if any, trail requirements may apply to the subject property at the time of site plan review.

PGN: MAW



## FAIRFAX COUNTY PARK AUTHORITY

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Lynn S. Tadlock, Director  
Planning and Development Division

**DATE:** October 7, 2002

**SUBJECT:** PCA 98-LE-048-2  
MPW LLC  
Loc: 91-1((1))23,24,26,27

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application. Based upon that review, staff has determined that this application bears no adverse impact on land or resources of the Fairfax County Park Authority.

cc: Kirk Holley, Manager, Planning and Land Management Branch  
Chron file  
File Copy

MEMORANDUM

TO: Staff Coordinator DATE: 11/8/2002  
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*  
 System Engineering & Monitoring Division  
 Office of Waste Management, DPW&ES

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. PCA 98-LE-048-2/FDPA 98-LE-048-1-2  
 Tax Map No. 091-1- /01/23,24,26,27

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the ACCOTINK CREEK (M6) watershed. It would be sewered into the Norman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in AN EASEMENT and ON the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application Previous Rezonings</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeg.</u>	<u>Inadeq.</u>	<u>Adeg.</u>	<u>Inadeq.</u>	<u>Adeg.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Submain	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Main/Trunk	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Interceptor	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Outfall	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

5. Other pertinent information or comments:

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

Aug 29, 2002

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

**FROM:** Michael Torres (246-3968)  
Planning Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis for Proffered Condition  
Amendment PCA 1998-LE-048-02 and Final Development Plan Amendment  
FDPA 1998-LE-048-01-02

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #05, Franconia.
2. After construction programmed for FY 20\_\_\_, this property will be serviced by the fire station planned for the \_\_\_\_\_.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

**FAIRFAX COUNTY WATER AUTHORITY**

8570 EXECUTIVE PARK AVENUE - P.O. BOX 1500

MERRIFIELD, VIRGINIA 22116-0815

PLANNING AND ENGINEERING DIVISION  
C. DAVID BINNING, P.E., DIRECTORTELEPHONE  
(703) 289-6325FACSIMILE  
(703) 289-6382

September 30, 2002

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

Re: PCA 98-LE-048-02  
FDPA 98-LE-048-01-02  
Water Service Analysis

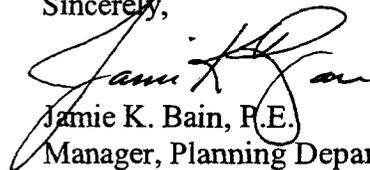
Dear Ms. Byron:

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

1. The property is located within the Fairfax County Water Authority service area.
2. Adequate domestic water service is available at the site from an existing 12-inch water main located at the property. See the enclosed property map. The Generalized Development Plan has been forwarded to Plan Control for distribution to Engineering Firm.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

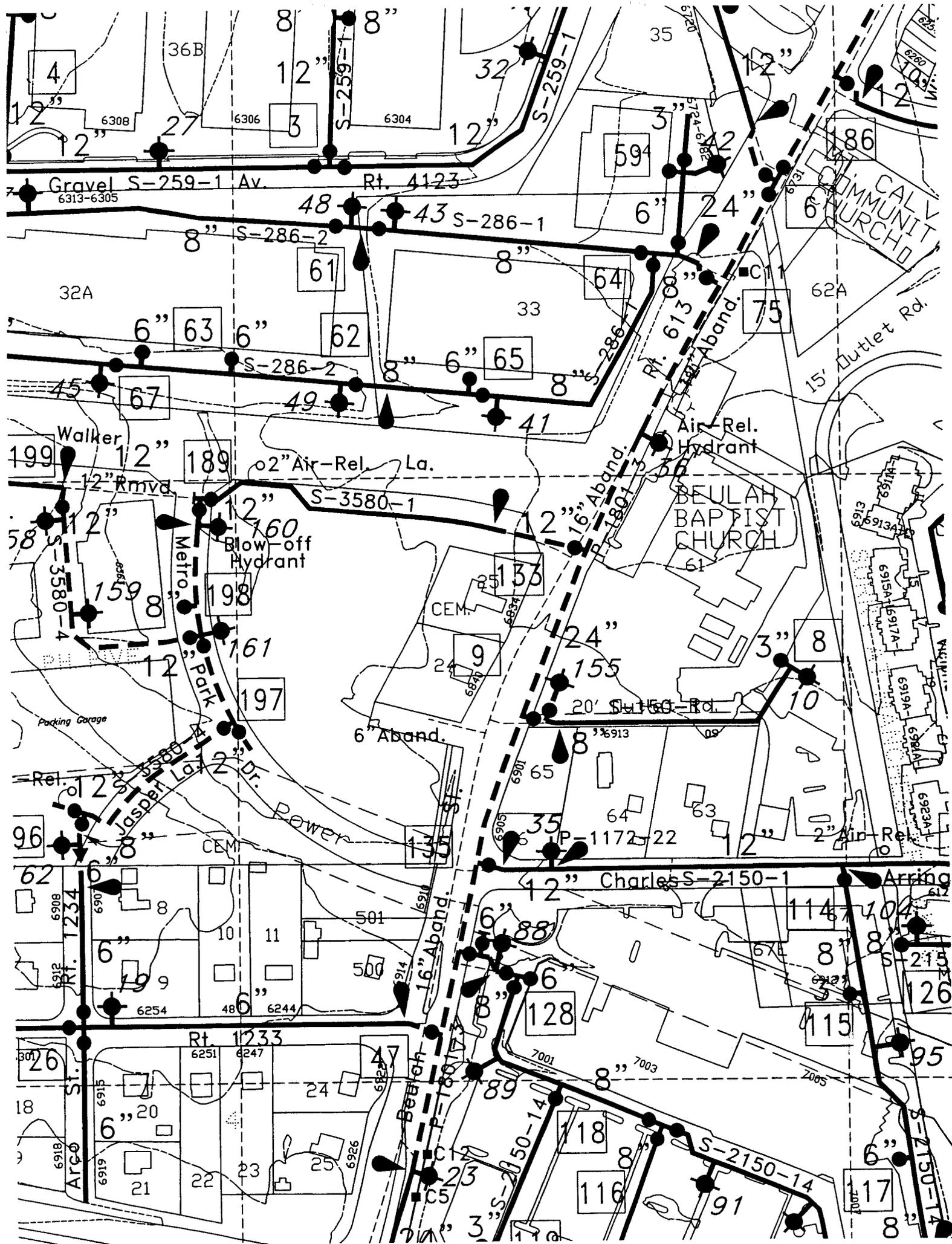
If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



Jamie K. Bain, P.E.  
Manager, Planning Department

Enclosures (as noted)



## SELECTED EXCERPTS FROM THE ZONING ORDINANCE

### PART 2 6-200 PDC PLANNED DEVELOPMENT COMMERCIAL DISTRICT

#### 6-201 Purpose and Intent

The PDC District is established to encourage the innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density land uses which could produce detrimental effects on neighboring properties if not strictly controlled as to location and design; to insure high standards in the lay-out, design and construction of commercial developments; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

### ARTICLE 16

#### DEVELOPMENT PLANS

### PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

#### 16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.

5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

## **16-102**

### **Design Standards**

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

## 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 in the zoning district if the site were developed as a conventional subdivision. See 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		