



# FAIRFAX COUNTY

APPLICATION FILED: July 30, 2003  
PLANNING COMMISSION: November 12, 2003

V I R G I N I A

October 29, 2003

## STAFF REPORT

APPLICATION FDPA 80-P-073-03-04

### PROVIDENCE DISTRICT

<b>APPLICANT:</b>	2941 Fairview, LLC
<b>PRESENT ZONING:</b>	PDC
<b>PARCEL(S):</b>	49-4 ((1)) 74A
<b>ACREAGE:</b>	13.78 acres
<b>OPEN SPACE:</b>	66.4%
<b>FAR:</b>	0.62 for area of FDPA 0.26 (155 acres subject to RZ 80-P-073)
<b>PLAN MAP:</b>	Office
<b>PROPOSAL:</b>	Final Development Plan Amendment for 80-P-073 to permit site modifications, including the addition of a driveway for passenger drop off and surface valet parking lot, to a commercial development.

### STAFF RECOMMENDATION:

Staff recommends approval of FDPA 80-P-073-03-04 subject to the proposed development conditions in Appendix 1.

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

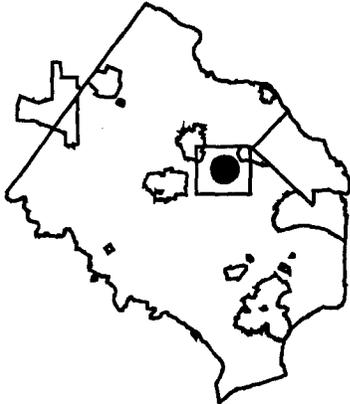
It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

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

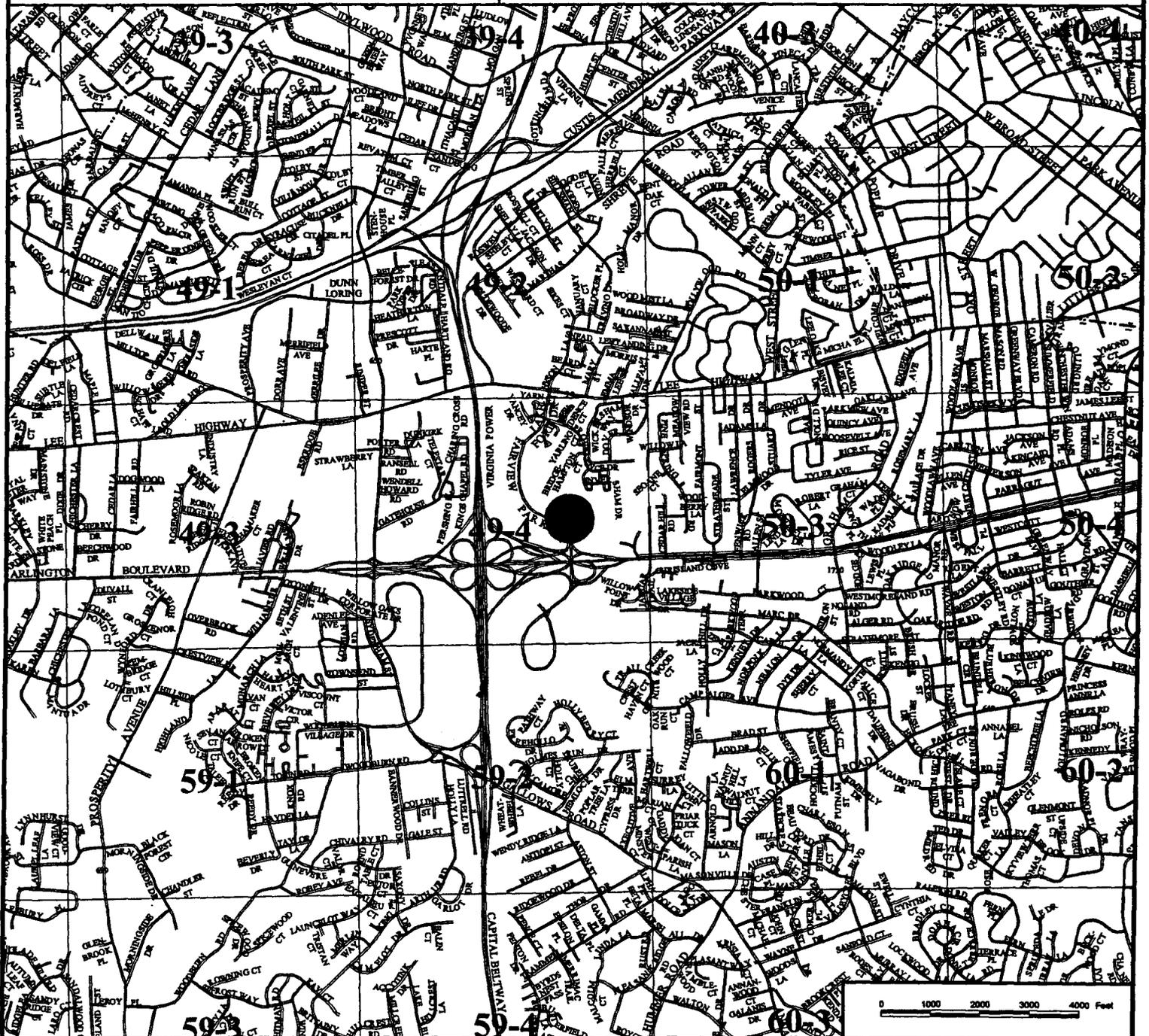


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

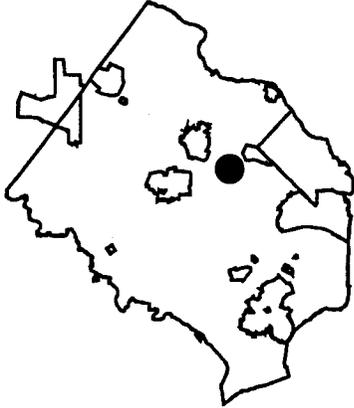
**Final Development Plan Amendment**  
**FDPA 80-P-073-03-04**



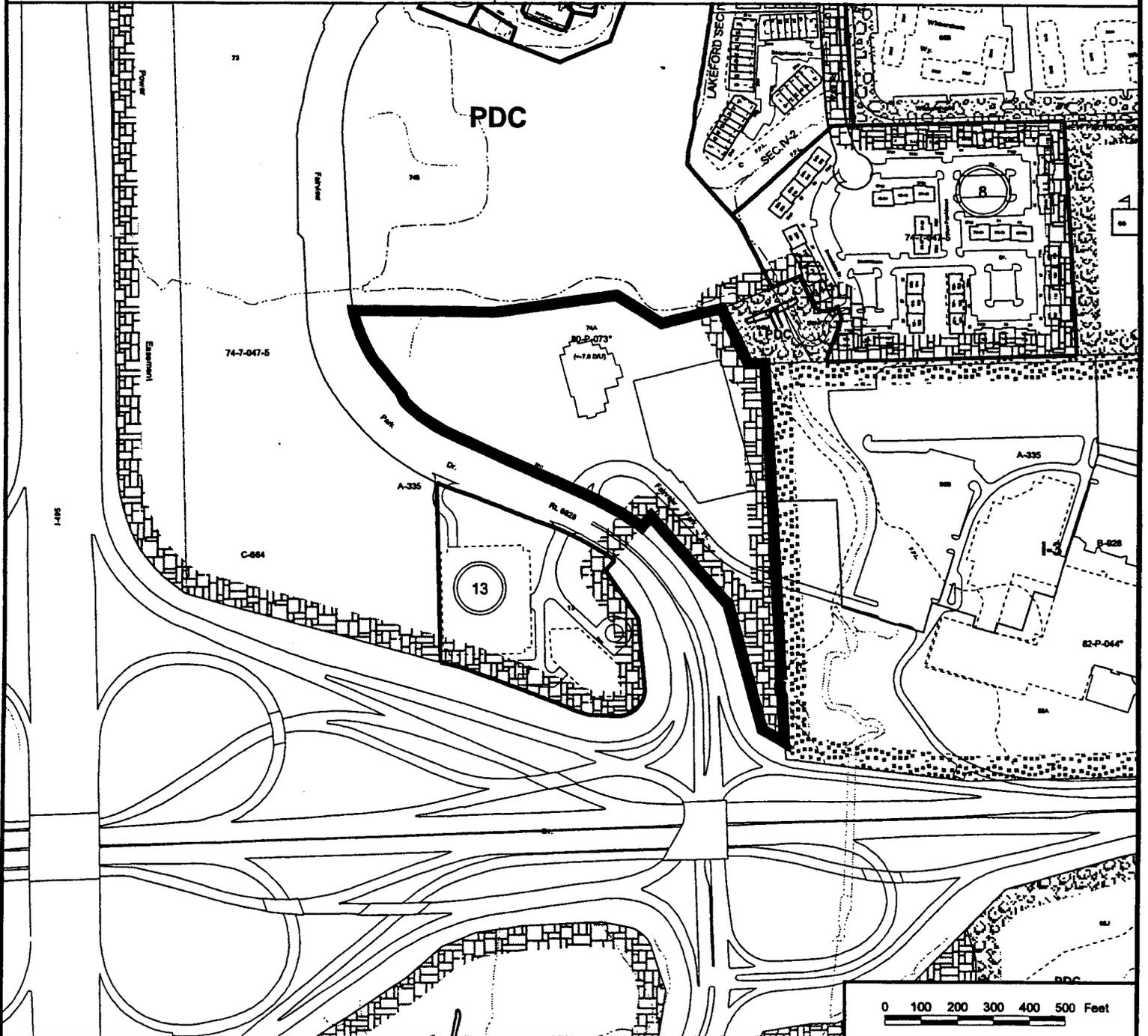
**Applicant:** 2941 FAIRVIEW, LLC  
**Filed:** 07/30/2003  
**Proposed:** TO PERMIT SITE MODIFICATIONS TO A COMMERCIAL DEVELOPMENT  
**Area:** 13.78 AC OF LAND; DISTRICT - PROVIDENCE  
**Located:** N.E. QUADRANT OF THE INTERSECTION OF ARLINGTON BLVD. AND FAIRVIEW PARK DR.  
**Zoning:** PDC  
**Overlay Dist:**  
**Map Ref Num:** 049-4- /01/ /0074A



**Final Development Plan Amendment**  
**FDPA 80-P -073-03-04**



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**Zoning:** PDC  
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**Map Ref Num:** 049-4- /01/ /0074A



# FAIRVIEW PARK

NORTHEAST QUADRANT  
BUILDING F

## FINAL DEVELOPMENT PLAN AMENDMENT

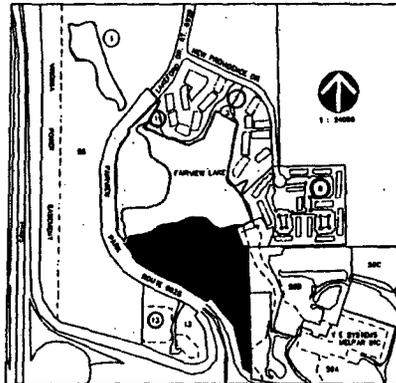
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

### FDPA 80-P-073-3-4

#### SHEET INDEX \*

1. COVER SHEET
2. OVERALL FINAL DEVELOPMENT PLAN AMENDMENT
3. FINAL DEVELOPMENT PLAN AMENDMENT
4. NOTES AND TABULATIONS.
5. RESTAURANT DROP-OFF AREA DETAIL

\* EVM WAIVER REQUESTED, SEE SHEET 4 OF 6.



VICINITY MAP  
SCALE: 1:14000

#### APPLICANT/OWNER

2941 FAIRVIEW, LLC  
2941 FAIRVIEW PARK DRIVE  
FALLS CHURCH VIRGINIA 22042

#### ATTORNEY

WALSH, COLUCCI, LUBBY, ENRICH & TERPAK  
2200 CLARENDON BLVD., 15TH FLOOR  
ARLINGTON, VA, 22201  
ATTN: ELIZABETH BAKER  
(703) 528-4700

#### ENGINEER

VKA INC.  
8180 GREENSBORO DRIVE  
SUITE 200  
MCLEAN, VIRGINIA 22102  
(703) 442-7800



6/10/2003  
9/26/2003  
10/14/2003

10/14/2003  
9/24/2003  
6/18/2003

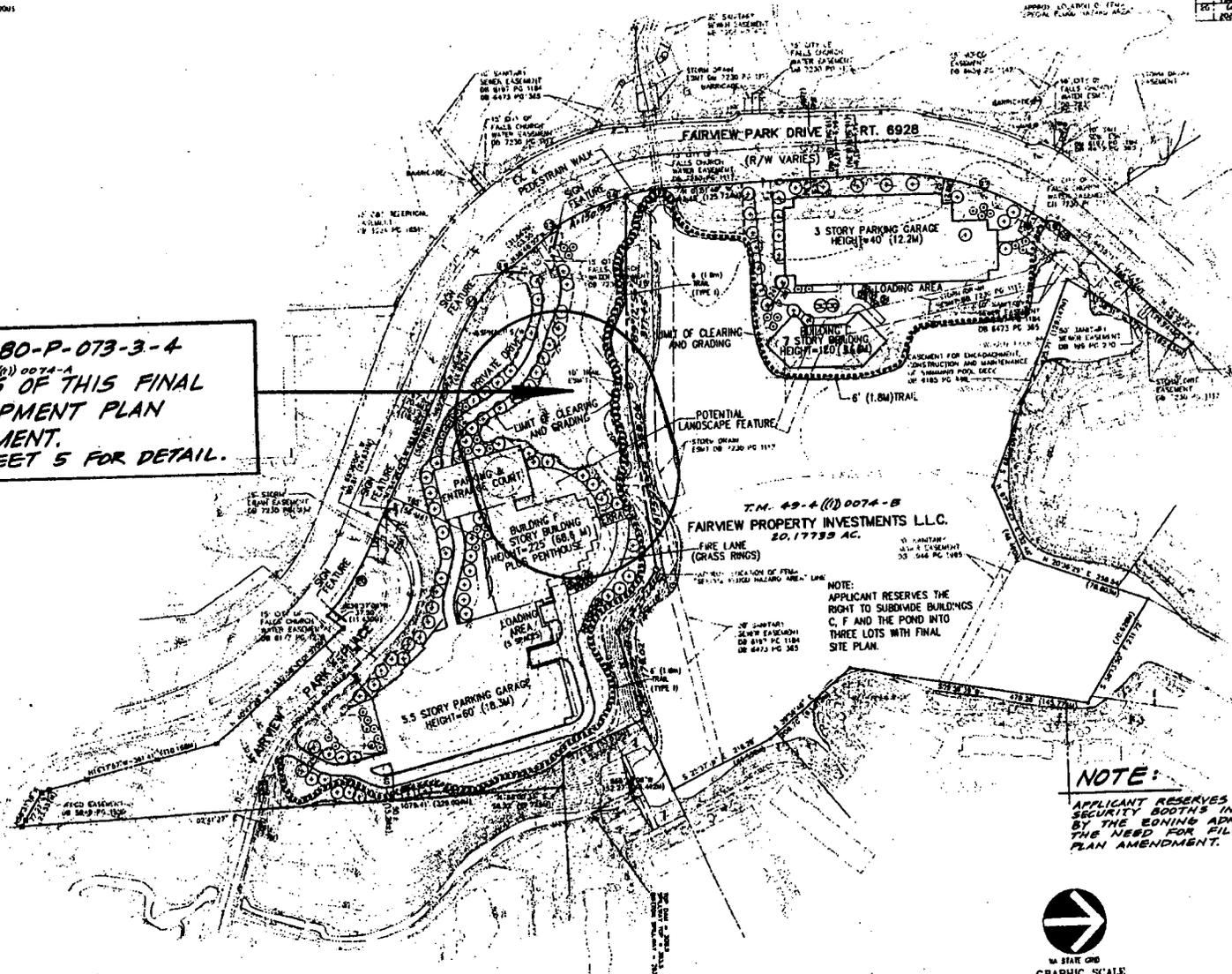


**LEGEND**

- ① LARKE DECOROUS
- ② EMERALD
- ③ ORNAMENTA

CURVE TABLE									
NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEHIND	CHORD AHEAD	CHORD	CHORD
11	300.00	18.4347	107.05	27.00	107.05	27.00	107.05	27.00	107.05
12	150.00	36.8694	53.52	13.50	53.52	13.50	53.52	13.50	53.52
13	75.00	73.7388	26.76	6.75	26.76	6.75	26.76	6.75	26.76
14	37.50	147.4776	13.38	3.38	13.38	3.38	13.38	3.38	13.38
15	18.75	294.9552	6.69	1.69	6.69	1.69	6.69	1.69	6.69
16	9.375	589.9104	3.34	0.84	3.34	0.84	3.34	0.84	3.34
17	4.6875	1179.8208	1.67	0.42	1.67	0.42	1.67	0.42	1.67
18	2.34375	2359.6416	0.84	0.21	0.84	0.21	0.84	0.21	0.84
19	1.171875	4719.2832	0.42	0.10	0.42	0.10	0.42	0.10	0.42
20	0.5859375	9438.5664	0.21	0.05	0.21	0.05	0.21	0.05	0.21

**FDPA 80-P-073-3-4**  
 T.M. 49-4 (11) 0074-A  
**LIMITS OF THIS FINAL DEVELOPMENT PLAN AMENDMENT.**  
 SEE SHEET 5 FOR DETAIL.



T.M. 49-4 (11) 0074-B  
**FAIRVIEW PROPERTY INVESTMENTS L.L.C.**  
 20.17735 AC.

**NOTE:**  
 APPLICANT RESERVES THE RIGHT TO LOCATE SECURITY BOOTHS IN LOCATIONS APPROVED BY THE ZONING ADMINISTRATOR WITHOUT THE NEED FOR FILING A FINAL DEVELOPMENT PLAN AMENDMENT.

4/10/2003  
 J. Thomas Hester  
 9/30/2003  
 10/14/2003



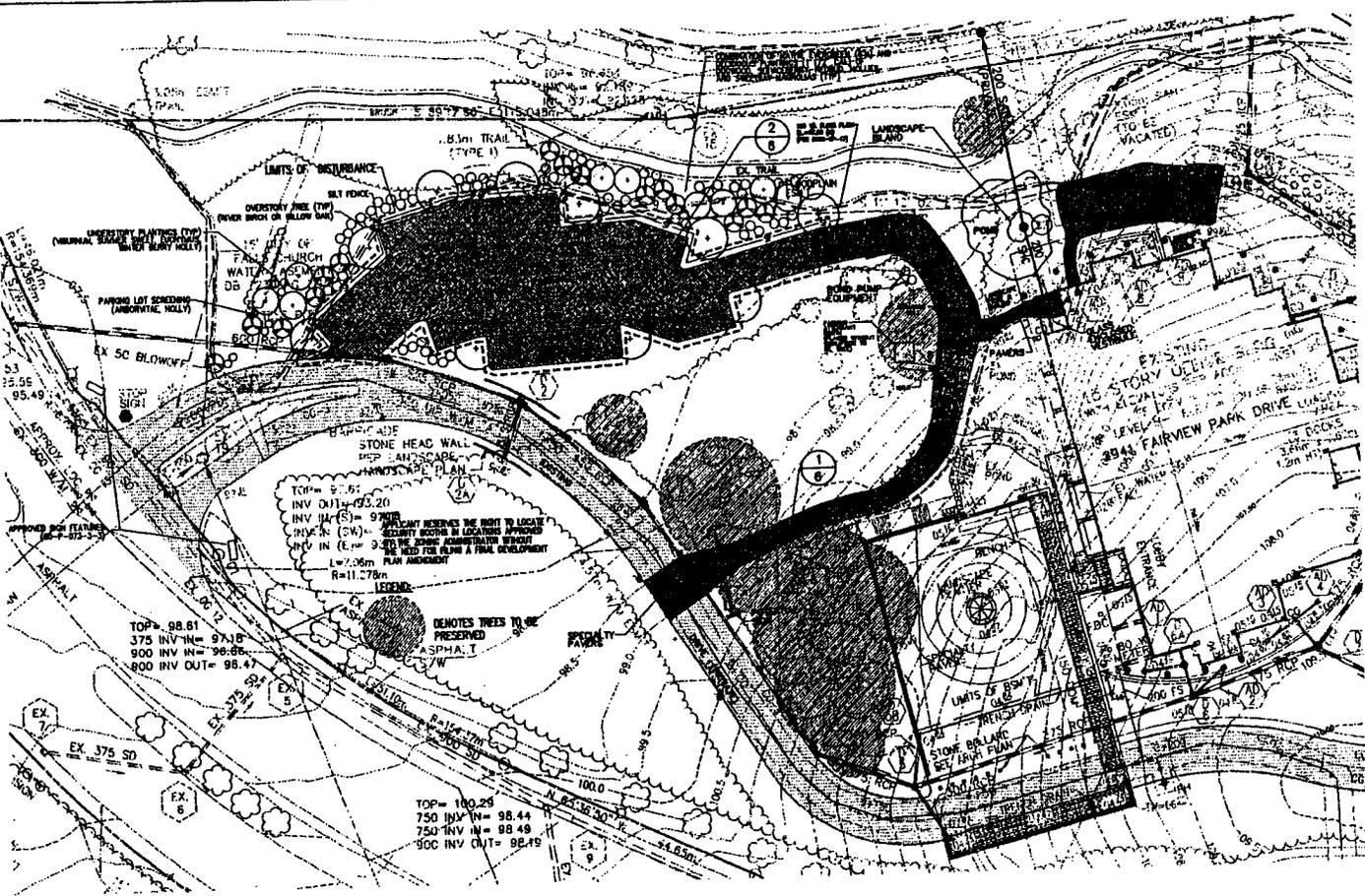
**FAIRVIEW PARK**  
**NORTHEAST QUADRANT**  
**BUILDING C AND F**  
**PROVIDENCE DISTRICT**

**FINAL DEVELOPMENT PLAN**  
**AMENDMENT**  
**80-P-073-3-3**

10/14/2003  
 9/30/2003  
 4/10/2003

3 OF 5





**COMPUTATIONS FOR INTERIOR PARKING LOT LANDSCAPING**  
(20 OR MORE PARKING SPACES)

AREA OF PARKING LOT:	14,400 SF
LANDSCAPING REQUIRED: (5% OF ABOVE)	720 SF
LANDSCAPING PROVIDED:	1,130 SF

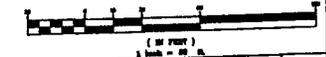
**VIVA**  
 VIVA CONSULTANTS, INC.  
 1000 COMMONWEALTH DRIVE, SUITE 200  
 FAIRFAX COUNTY, VIRGINIA 22031  
 PHONE: (703) 261-1100  
 FAX: (703) 261-1101  
 WWW.VIVA-VA.COM

2941 FAIRVIEW PARK  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

FOPA 80-P-073-3-4  
 PROPOSED RESTAURANT  
 DROP-OFF AREA PLAN



GRAPHIC SCALE  
 (IN FEET)  
 1 inch = 40 feet



NO.	DESCRIPTION	DATE	APPROVED	DATE

VIVA REVISIONS

NO.	DESCRIPTION	DATE

REV. 10-12-03  
 REV. 9-28-03  
 DATE: JUNE 18, 2003  
 DES. JTH  
 DWN. CAD  
 SCALE: 1"=30'  
 PROJECT/FILE NO. 8123  
 SHEET NO. 5

REVISION APPROVED BY:  
 DIVISION OF DESIGN REVIEW



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

**DESCRIPTION OF THE APPLICATION**

This is a final development plan amendment to permit site modifications, specifically to legalize a restaurant patron drop-off driveway and a surface valet parking lot, which are all existing, to an existing office building that were not shown on the previously approved FDP. A copy of the proposed development conditions, applicant's affidavit, justification statement are attached as Appendices 1 – 3.

**LOCATION AND CHARACTER OF THE AREA**

**Site Description**

The subject property, which is in Fairview Park, is 13.78 acres and is zoned PDC. It is located at 2941 Fairview Park Drive, which is in the northeastern quadrant of Fairview Park Drive and Arlington Boulevard (Route 50). The site is currently developed with a 15-story office building with an entry plaza and restaurant on the first floor, a 5.5 level parking garage and the subject restaurant customer drop-off driveway and surface valet parking lot. Vehicular access to the site is provided on the south side of the site from Fairview Park Place.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North/Northeast</b>	Residential: Single – Family Attached and Multiple Family , Office (Fairview Park) and Fairview Lake	PDC	Office, Public Park and Residential 8-12 du/ac.
<b>South/Southwest</b>	Office building, Route 50 and the southern portion of Fairview Office Park	PDC	Office and Mixed Use
<b>East</b>	Research and Development	I-3	Public Park and Industrial
<b>West</b>	Vacant (Undeveloped portion of Fairview Park North)	PDC	Office

**Waivers and Modifications Requested:**

None

## BACKGROUND

The 13.78 acres subject to this application were part of RZ 80-P-073, approved by the Board of Supervisors on May 18, 1981, which rezoned 155 acres to the PDC District with proffers for purposes of developing an office park and residential uses. In conjunction with the approval of RZ 80-P-073, the Board also approved a Conceptual Development Plan (CDP), which depicted the land area south and west of Holmes Run for office development and the land area north and east of Holmes Run for residential use. The approved proffers permit development of up to 1,750,000 square feet of commercial use, including 1,700,000 square feet of office development, 50,000 square feet of retail development, and 450 residential units. The overall FAR approved on the site is 0.26. The building is shown as Building F on the approved plan. Copies of the approved CDP and complete proffers are on file in the Department of Planning and Zoning. In addition, the Board of Supervisors mandated that Final Development Plans (FDPs) come back for review by both the Planning Commission and Board of Supervisors (if requested by the Board members).

On June 28, 1982, the Board of Supervisors approved Final Development Plan FDP 80 P-073 to permit development of office buildings C and F on 39.05 acres of the 155 acres subject to RZ 80-P-073.

On July 30, 1984, the Board of Supervisors approved FDP 80-P-073-3 on the 106 acre commercial portion of the Fairview Park North development. This application approved the site layout of proposed Office Building A-G.

On July 10, 1989, the Board approved the first amendment to FDP 80-P-073-3 (FDPA 80-P-073-1) which permitted among other things;

- (a) the transfer of 67,600 square feet of gross floor area from Building F to Building G;
- (b) a two story reduction in the height of Building F from 15 to 13 stories; and,
- (c) an increase in the height of the parking garage serving Building F from 3 levels to 5.5 levels.

The Board of Supervisors also directed that future amendments to the FDPs be returned to the Board of Supervisors at the discretion of the Supervisor for the Providence District.

On March 7, 1990, the Planning Commission approved the second amendment to FDP 80-P-073-03 (FDPA 80-P-073-03-02) which permitted a reduction in the required parking based on the amendment of the Zoning Ordinance adopted in 1988 which reduced the off-site parking requirement for office buildings with more than 50,000 square feet of gross floor area. The approved amendment also clarified the principal and secondary uses permitted within the office park.

On December 9, 1998, the Planning Commission approved the third amendment to FDP 80-P-073-3 (FDPA 80-P-073-03-03) which permitted the reallocation of 72,500

square feet of gross floor area from Building C to Building F and an increase in the height of Building F from 13 stories to 15 stories. Copies of the approved FDPA and development conditions are contained in Appendix 4.

On February 11, 2002, the applicant requested an interpretation from the Department of Planning and Zoning to determine if the addition of a driveway accessing the restaurant in Building F and other associated modifications would be in substantial conformance with the approved FDPA. On March 1, 2002, the requested interpretation was withdrawn in lieu of receiving a written interpretation with the stated intent of filing an amendment to the FDP. On June 27, 2002, an amendment to the FDP was filed to request approval of the changes. While the FDPA was still pending, the applicant's engineer submitted a revision to the site plan and received approval from DPWES in October 2002, to construct a driveway and parking lot. On November 26, 2002, the FDPA for the site modifications was withdrawn. Subsequently, the driveway and parking lot were constructed in violation of the approved plans and proffers.

On April 15, 2003, the Department of Planning and Zoning wrote to the owner of the property and informed him that the revised site plan approval did not relieve him of ensuring that the site remain in substantial conformance with the FDPA, and in order to accomplish this, an amendment request would need to be filed, and it would have to receive the necessary approval. The current amendment is in response to the site modifications which were undertaken.

### **COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	Area I
<b>Planning Sector:</b>	Merrifield Suburban Center Land Unit I – Sub-unit I1
<b>Plan Map:</b>	Mixed use

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

- The retail and accessory uses, such as day care, restaurant, and service uses, may be integrated within the office buildings, or a portion of the retail and accessory uses could be developed as a small retail center. The retail center should be located adjacent to the western side of Fairview Lake between the lake and Fairview Park Drive and should have a minimum of 25,000 square feet. If a retail center is developed, institutional uses are encouraged to be located in this center.

Drive-through uses that are low traffic generators, such as financial institutions and drug stores, may be considered provided that the drive-through facility is integrated within a multi-tenant building and is designed in a manner that does not impact pedestrian access. Other drive-through uses are inappropriate.

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

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

If a retail center is located adjacent to the west side of Fairview Lake, office buildings located in the southwestern portion of this sub-unit, between I-495, Fairview Park Drive and Route 50, may be considered for a height increase of up to 18 stories or approximately 230 feet provided that the parking is an integral part of the office development and additional open space above the current approved development plan is provided. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section.”

## ANALYSIS

### **Description of the Final Development Plan Amendment for FDPA 80-P-073 03-04**

(Copy at front of staff report)

Title of CDP/FDP: “Fairview Park, Northeast Quadrant, Building F”

Prepared By: Vika Inc.

Original/Revision Dates: Sheets 1 and 5; June 18, 2003, as revised through October 14, 2003.

The FDPA is comprised of a cover page (**Sheet 1**) which includes a vicinity map. **Sheet 2** is a copy of the currently approved FDP for the office park (approved in conjunction with FDPA 80-P-073-03-02), with the land area subject to the amendment highlighted. **Sheet 3** illustrates the site layout for Buildings C and F (approved in conjunction with FDPA 80-P-073-03-03). **Sheet 4** contains site tabulations and general notes. **Sheet 5** depicts the requested modifications of the restaurant drop-off, including the customer drop-off driveway, valet parking lot, proposed landscaping and the outdoor dining area.

### **Comparison with Currently Approved FDPA**

As stated earlier, the modifications included with this request have largely been constructed with the exception of the northern and southern parking lot rows. The FDPA proposes to legalize a customer drop-off driveway accessing the eating establishment on the ground level in the northwest corner of Building F. The driveway cuts through a designated tree save area on the west side of Building F. The driveway forms part of a one-way, counter-clockwise loop with its ingress and egress on Fairview Park Place. At the end of the loop, in the northwest portion of the site, is a surface valet parking lot. As depicted, the central course of the parking area is asphalt and the shoulders of the lot, to the north and south, are covered with gravel. This area, which was used to stage the construction of Building F and lake to the north, was shown generally as devoid of trees and not as a tree save area on the previously approved FDPA. This FDPA also shows a parking attendant booth and pool pump equipment on the eastern side of the interior of the loop. This amendment also provides information specifying the location of an outdoor dining area north of Building F and water features (ponds) to the west of the Building F and the outdoor dining area. The tabulations indicate that the area of disturbance associated with this request is approximately 0.58 acres which decreases the on-site open space from 70.6% to 64.6%; slightly more than a third of the reduction comes from tree save area. The subject FDPA also shows peripheral parking lot landscaping and supplemental landscaping in the area of the parking lot, to the north and west. Specifically, the customer drop-off driveway and parking lot have eliminated approximately 9,500 square feet of tree save area, and the remainder of the area disturbed was not in the tree save area. The applicant has indicated that the area of additional tree cover shown on the FDP is 9,600 square feet; however, staff has estimated that total additional tree cover shown on the FDP as 7,850 square feet including the required parking lot landscaping of 720 square feet. Although this exceeds the required amount of parking lot landscaping, it does not off-set the amount of tree save area lost. In staff's opinion, the amount of additional landscaping should exceed the tree save area lost in addition to providing the tree cover required for the parking lot landscaping.

### **Land Use and Environmental Analyses (Appendix 5)**

This parcel is part of subunit I1 of the Merrifield Suburban Center. Under Condition #3 of the site specific recommendations for this subunit, any surface

parking should be buffered with berms and/or landscaping. Initially, the applicant did not show any buffering around the valet parking area. Subsequently, the applicant has revised the FDP and now shows a mixture of evergreen and deciduous trees and shrubs around the parking area to minimize the visual impact on the surrounding properties and the adjoining trail. Staff believes this issue has been addressed through the revised FDP and the proposed development conditions.

Staff also identified two environmental issues associated with this application: loss of tree save area and encroachment in the 100-year flood plain. The impact of the tree loss is located in the area from the driveway entrance up to Building F. Although the driveway impacts the tree save area, its width was minimized, it was sensitively sited to reduce the elimination of large trees, and the applicant has shown the remaining tree save area to be maintained and has proposed additional trees in the northwestern corner of the site. Urban Forestry Division has reviewed the revised proposal and believes that while the FDP shows supplemental plantings and is a marked improvement over the initial submission that it still does not adequately mitigate the impact on the tree save area. The Urban Forester believes that additional native over-story trees and under-story trees are necessary northwest of the parking lot to offset the damage that the applicant has caused to the site by encroaching into the tree save area. In an effort to address this deficiency, staff has proposed a development condition to supplement the vegetation between the parking lot and Fairview Park Drive and believes that with the implementation of this condition the impact of the encroachment into the tree save area is adequately mitigated.

The second issue, water quality, was identified by staff because the initial FDP proposal showed the valet parking lot extending into the flood plain in several places along the northern edge of the parking lot. Staff requested that the encroachments be eliminated and the area restored to a more natural condition. Subsequently, the applicant revised the FDP and no longer shows encroachment into the 100-year flood plain. Also, the applicant has reduced the amount of impervious surface associated with this request by converting areas identified for asphalt surface to gravel surfaces along the northern and southern edges of the parking area. With the proposed development conditions and revised FDP, staff believes this issue, including the restoration of the flood plain area, has been resolved.

#### **Transportation Analysis (Appendix 6)**

No transportation issues were identified with this amendment.

#### **Conformance with Conceptual Development Plan (CDP) and Proffers**

Par. 1 of Sect. 16-402 of the Zoning Ordinance requires that all final development plans be prepared in accordance with the approved Conceptual Development Plan and any conditions as may have been adopted by the Board of Supervisors.

The approved CDP is a general plan for the original 155 acre site, which designates areas for residential and commercial developments. The proposed FDPA to permit site modification to the property containing Building F is in conformance with the CDP and proffers approved in conjunction with the initial rezoning.

## **ZONING ORDINANCE PROVISIONS (Appendix 7)**

All development within the PDC District must conform to the standards set forth in Part I of Article 16 of the Zoning Ordinance. The general standards set forth in Sect. 16-101 (See Appendix 7) were satisfied with the original rezoning of the site to the PDC District. The proposed FDPA is in conformance with the design standards set forth in Sect. 16-102, as well as the bulk regulations regarding height, setbacks and FAR approved with RZ 80-P-073.

## **CONCLUSIONS AND RECOMMENDATION**

### **Staff Conclusions**

The proposed FDPA request to permit modification to a commercial property containing an office building is in conformance with the approved Conceptual Plan and proffers. The previous development conditions pertaining to Building F will be carried forward, with additional condition language to ensure that the character of the subject site is compatible with the remainder of Fairview Park. Staff believes that, with the proposed development conditions carried forward from previous approvals along with the modifications as noted, the request is in conformance with the Comprehensive Plan and does not adversely impact the surrounding residential and commercial development. The proposed restoration and that which is identified in the proposed development conditions will be adequate to provide adequate mitigation to compensate for the tree save area lost.

### **Staff Recommendation**

Staff recommends approval of FDPA 80-P-073-03-04 subject to the development conditions set forth in Appendix 1.

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

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

## **APPENDICES**

1. Proposed Final Development Plan Conditions
2. Affidavit
3. Statement of Justification
4. Approved FDPA and Development Conditions for FDPA 80-P-073-03-03
5. Environmental and Urban Forestry Analyses
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions
8. Glossary of Terms

## **PROPOSED DEVELOPMENT CONDITIONS**

### **FDPA 80-P-073-03-04**

**October 29, 2003**

If it is the intent of the Planning Commission to approve FDPA 80-P-073-03-04 located at Tax Map 49-4 ((1)) 74A (2941 Fairview Park Drive) to permit site modifications to a commercial development. Staff recommends that the approval be subject to the following development conditions. These conditions supercede those previously approved development conditions imposed pursuant to FDPA 80-P-073-03-01, FDPA 80-P-073-03-02 and FDPA 80-P-073-03-03 which provide specific reference to Building F. All other previously approved conditions imposed pursuant to FDPA 80-P-073-03-01, FDPA 80-P-073-03-02 and FDPA 80-P-073-03-03 that pertain to other buildings shall remain in full force and effect.

1. Development of the subject property shall be in substantial conformance with the FDPA plat entitled "Fairview Park Northeast Quadrant, Building F", prepared by Vika Inc., dated June 18, 2003 as revised through October 14, 2003, consisting of five sheets. Minor modifications to the approved FDP may be permitted pursuant to Par. 4 of Sect. 16-403 of the Zoning Ordinance.
2. The gross floor area of Building F shall not exceed 375,000 square feet.
3. A tree preservation plan for the Building F site shall be submitted to the Urban Forestry Division of DPWES for review and approval as part of the grading plan submission. No additional land disturbing activities shall be permitted on site until the tree preservation plan is approved. The tree preservation plan shall provide for the preservation, as determined by the Urban Forester, of specific quality trees or clusters of trees in those areas identified as tree save area on the tree preservation exhibit entitled, "Proposed Restaurant Drop-Off Area Plan" prepared by Vika Inc., dated June 18, 2003, as revised through October 14, 2003, which has been attached to the Final Development Plan as Sheet 5.

The tree preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forestry Division. The tree preservation plan shall include recommendations for methods to be used to ensure preservation of the trees shown on the tree preservation exhibit attached as Sheet 5 of the FDP to be preserved and shall include the tree survey information gathered as part of the preparation of the exhibit (size and species of existing trees). In addition, a condition analysis using the methods described in the Guide of Plant Appraisal, ninth edition, published by the International Society of Arboriculture, shall be provided for those trees within the tree save areas shown to be preserved that are within 20 feet of any area to be cleared or graded.

All tree save areas and individual trees outside of the tree save areas shown to be preserved on the tree preservation plan shall be protected by orange, tree protection fencing, a minimum of four feet in height, placed as close as practical to the dripline of the trees to be preserved, as determined by the Urban Forester. The fencing shall be installed prior to any work being conducted on the site, and signage identifying "tree save area". "Do not disturb" shall be posted on the temporary fencing and shall be clearly visible to all construction personnel.

In the event that trees identified clearly with tree save areas on the tree preservation exhibit cannot be preserved as determined by the Urban Forestry Division, an equivalent area of replacement trees shall be planted on the site, as described in the PFM and in consultation with the Urban Forestry Division.

4. As part of the grading plan submission for the surface valet parking area for Building F, the applicant shall submit a vegetative restoration plan that shows the preservation and supplemental planting of native species of vegetation along the perimeter of the parking area, in the interior parking lot landscaping island or other interior parking lot landscaping areas as approved by the Urban Forestry Division, between the trail on the north side of the valet parking lot and the subject parking lot, and between the subject parking lot and Fairview Park Drive and between the subject parking lot and the tree save area to the south. The species and quantity of trees and shrubs shall be determined by the Urban Forestry Division and shall be supplemented, as needed, to ensure that the tree save area eliminated by the driveway is exceeded by the additional landscaped tree cover. Additional tree cover, in excess of that shown on the FDP, is appropriate in the area northwest of the parking lot. The parking lot landscaping, which is intended to address the impacts of the parking lot, shall not count toward the mitigation of the lost tree save area. The flood plain shall also be restored to a more natural state using native species and all fill removed as determined by the Urban Forestry Division.
5. For Building F, in addition to the tree save areas referenced in Condition 3 above, the applicant shall, to the extent reasonably practicable as determined by the Urban Forestry Division, preserve existing trees and/ or provide supplemental landscaping around the parking structure designed to visually break up the appearance of the façade of the parking garage from the townhouses north of the lake through such means as planting of fast growing evergreen trees at 25-30 foot intervals or as deemed appropriate by the Urban Forester.
6. Signage shall be provided in accordance with Article 12 of the Zoning Ordinance.

7. The applicant shall notify the County Archaeologist a minimum of 10 days prior to any grading or disturbance of the site. The applicant shall permit the County Archaeologist to observe clearing and excavation during construction with the understanding that this action will not unreasonably delay construction.
8. The hours of operation for the eating establishment within Building F shall be limited to 7 a.m. to 2 p.m., seven days a week. However, for quick service food stores and fast food restaurants which may be permitted as secondary uses within the office building, the hours of operation set forth in the development conditions approved with FDPA 80-P-073-03-02 shall control.
9. Outdoor lighting fixtures shall comply with Part 9 of Article 14 of the Zoning Ordinance.



**REZONING AFFIDAVIT**

DATE: October 14, 2003  
 (enter date affidavit is notarized)

I, Elizabeth D. Baker, agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below      80453a

in Application No.(s): FDPA 80-P-073-03-04  
 (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)
2941 Fairview, LLC	2941 Fairview Park Drive Falls Church, Virginia 22042	Applicant/Title Owner of Tax Map 49-4 ((1)) 74A
Agent: Joseph A. Layden Former Agent: Sara L. Poole		
<b>VIKA, Incorporated</b>	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	<b>Engineers/Agent</b>
Agents: John F. Amatetti J. Thomas Harding		

(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: October 14, 2003  
 (enter date affidavit is notarized)

80453a

for Application No. (s): FDPA 80-P-073-03-04  
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
<b>WDG Architecture, PLLC</b>  Agent: Andrew C. Smith	1025 Connecticut Avenue, NW Washington, DC 20036	<b>Architect/Agent</b>
<b>Walsh, Colucci, Lubeley, Emrich &amp; Terpak, PC</b>  Agents: Martin D. Walsh Lynne J. Strobel Keith C. Martin M. Catharine Puskar William J. Keefe	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	<b>Attorneys/Planners/Agent</b>
Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg Shannon M.P. Johnson		

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

REZONING AFFIDAVIT

DATE: October 14, 2003  
(enter date affidavit is notarized)

80453 a

for Application No. (s): FDPA 80-P-073-03-04  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)  
2941 Fairview, LLC  
2941 Fairview Park Drive  
Falls Church, Virginia 22042

DESCRIPTION OF CORPORATION: (check one statement)

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

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

R. L. Adams, Jr., Sole Managing Member	B. W. Frey, Member
D. F. Adams, Member	M. K. Adams, Member
A. H. Frey, Member	E. B. Adams, Member

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: October 14, 2003  
(enter date affidavit is notarized)

80453a

for Application No. (s): FDPA 80-P-073-03-04  
(enter County-assigned application number (s))

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

VIKA, Incorporated  
8180 Greensboro Drive, Suite 200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Charles Irish, Jr. (nmi)  
John F. Amatetti

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

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

WDG Architecture, PLLC  
1025 Connecticut Avenue, NW  
Washington, DC 20036

**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)

C.R. George Dove, Member	Marc Nathanson (nmi), Member
David P. Habib, Member	Mark Bellonby (nmi), Member
Byron B. Black, Member	Jeffrey A. Morris, Member
Eric J. Liebmann, Member	

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

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

Rezoning Attachment to Par. 1(b)

DATE: October 14, 2003

(enter date affidavit is notarized)

FDPA 80-P-073-03-04

80453a

for Application No. (s): \_\_\_\_\_  
(enter County-assigned application number (s))

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

Walsh, Colucci, Lubeley, Emrich & Terpak, PC  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

David J. Bomgardner	Thomas J. Colucci	James P. Downey	Jay du Von
Jerry K. Emrich	William A. Fogarty	John H. Foote	H. Mark Goetzman
Michael D. Lubeley	Keith C. Martin	J. Randall Minchew	John E. Rinaldi
Timothy S. Sampson	Lynne J. Strobel	Nan E. Terpak	Garth M. Wainman
Martin D. Walsh			

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

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

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: October 14, 2003  
(enter date affidavit is notarized)

80453a

for Application No. (s): FDPA 80-P-073-03-04  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

None

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

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

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

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

REZONING AFFIDAVIT

DATE: October 14, 2003  
(enter date affidavit is notarized)

80453 a

for Application No. (s): FDPA 80-P-073-03-04  
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: October 14, 2003  
(enter date affidavit is notarized)

80453a

for Application No. (s): FDPA 80-P-073-03-04  
(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, either "NONE" on line below.)**

None

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

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

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

WITNESS the following signature:

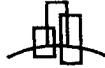
(check one)  Applicant Elizabeth D. Baker  Applicant's Authorized Agent

Elizabeth D. Baker, agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14 day of October 20 03, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follen  
Notary Public  
Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003



**WALSH COLUCCI  
LUBELEY EMRICH  
& TERPAK PC**

Elizabeth D. Baker  
Land Use Coordinator  
(703) 528-4700 Ext. 14  
ebaker@arl.thelandlawyers.com

June 24, 2003

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

RE: 2941 Fairview, LLC  
Application for Final Development Plan Amendment

Dear Ms. Byron:

This letter serves as a statement of justification for a final development plan amendment affecting property within the northern portion of Fairview Park identified as Tax Map 49-4 ((1)) 74A (the "Subject Property"). The Applicant, 2941 Fairview, LLC, is the title owner of this 13.78-acre site. The Subject Property is currently developed as an office building with a lower level eating establishment and associated parking. The eating establishment, "2941" (the "Restaurant"), is located within the northwestern portion of the building/site and adjacent to Fairview Lake.

The Subject Property is zoned PDC-Planned Development Commercial. It was approved via RZ 80-P-073 and subsequent amendments. It is also governed by FDPA 80-P-073-3-3, approved in 1998. On the approved FDPA, a 15-story building with 355,000 square feet of office use and 20,000 square feet of retail use, a 5.5 story parking deck, drive aisles and tree save areas are depicted on the Subject Property. However, the as-built condition differs from the latest approved FDPA in that a drop off drive and "valet only" parking area serving the Restaurant, and an outdoor dining terrace were constructed without the benefit of an approved FDPA. Please note that a site plan amendment was approved prior to construction. The proposed FDPA seeks to revise these areas of the approved FDPA to incorporate the restaurant drive and valet only parking area and outdoor dining area.

The Restaurant is an upscale eating establishment sited to maximize views of the adjacent lake and both natural and heavily planted surroundings. While located within the office building, the Restaurant has its own exterior entrance which is one floor below the office building's main entrance. The owners of the restaurant have made extensive efforts to create a unique entrance experience with large water features and lush landscaping in efforts to retain the high quality character of the overall property. A primary consideration during the design of this

entry sequence was to create a separate and distinctive arrival to the Restaurant while segregating the day-to-day office tenant traffic flow.

The restaurant patronage is encouraged to use the valet drop off in lieu of the garage facilities. Pedestrian access from the garage to the Restaurant is lengthy and convoluted. The drop off drive was constructed within an area previously approved as a tree save area. The drop off drive was carefully laid out, in place, to minimize the impact of the trees and their root structures. In order to further minimize any impacts, the larger trees adjacent to the drop off drive were root pruned, fertilized and monitored by arborists from the Merrifield Garden Center. It is the Applicant's intent to continue the high level of quality design and construction as evidenced by the 2941 building and landscaping throughout this site, and to rectify the fact that the as-built condition and proposed modifications are not represented on the approved FDPA.

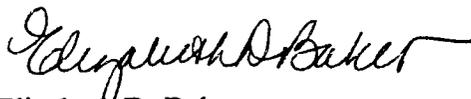
The Subject Property is located within Land Unit L1 of the Route 50/I-495 Area of the Merrifield Suburban Center within the Area I Fairfax County Comprehensive Plan. It is planned for commercial office use. The proposed revision is in conformance with the Comprehensive Plan and continues the high quality, environmentally sensitive style of development prevalent in Fairview Park.

To the best of our knowledge, the proposed development is in conformance with all applicable ordinances, regulations and adopted standards with the following exception: The Applicant seeks to reaffirm the previously granted modification of transitional screening and barrier requirements along the eastern property lines pursuant to Paragraph 3 of Section 13-304 of the Zoning Ordinance.

Please call me with any questions you may have.

Very truly yours,

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



Elizabeth D. Baker  
Land Use Coordinator

EDB:kkf

J:\FAIRVIEW PROPERTY INVESTMENTS\4581.2\justification.doc

# FAIRVIEW PARK

NORTHEAST QUADRANT  
BUILDINGS C AND F

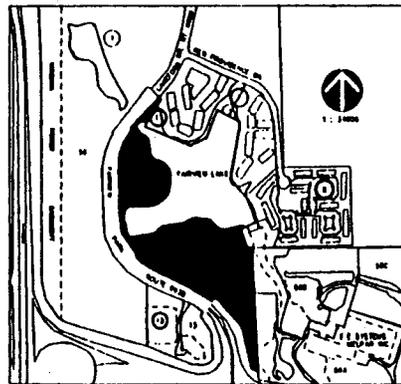
## FINAL DEVELOPMENT PLAN AMENDMENT

PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

### FDPA 80-P-073-3-3

#### SHEET INDEX

1. COVER SHEET
2. OVERALL FINAL DEVELOPMENT PLAN AMENDMENT
3. FINAL DEVELOPMENT PLAN AMENDMENT
4. NOTES AND TABULATIONS



VICINITY MAP  
SCALE: 1:1000

**OWNER**  
FAIRVIEW PROPERTY INVESTMENTS L.L.C.  
3112 FAIRVIEW PARK DRIVE  
FALLS CHURCH VIRGINIA 22042

**APPLICANT**  
2841 FAIRVIEW, LLC  
3112 FAIRVIEW PARK DRIVE  
FALLS CHURCH VIRGINIA 22042

**ARCHITECTS**  
BOHLEN CYMNSKI JACKSON  
AND  
BOGGS & PARTNERS ARCHITECTS

**ENGINEER**  
VHA INC.  
8180 GREENSBORO DRIVE  
SUITE 200  
MCLEAN, VIRGINIA 22102  
(703) 442-7800



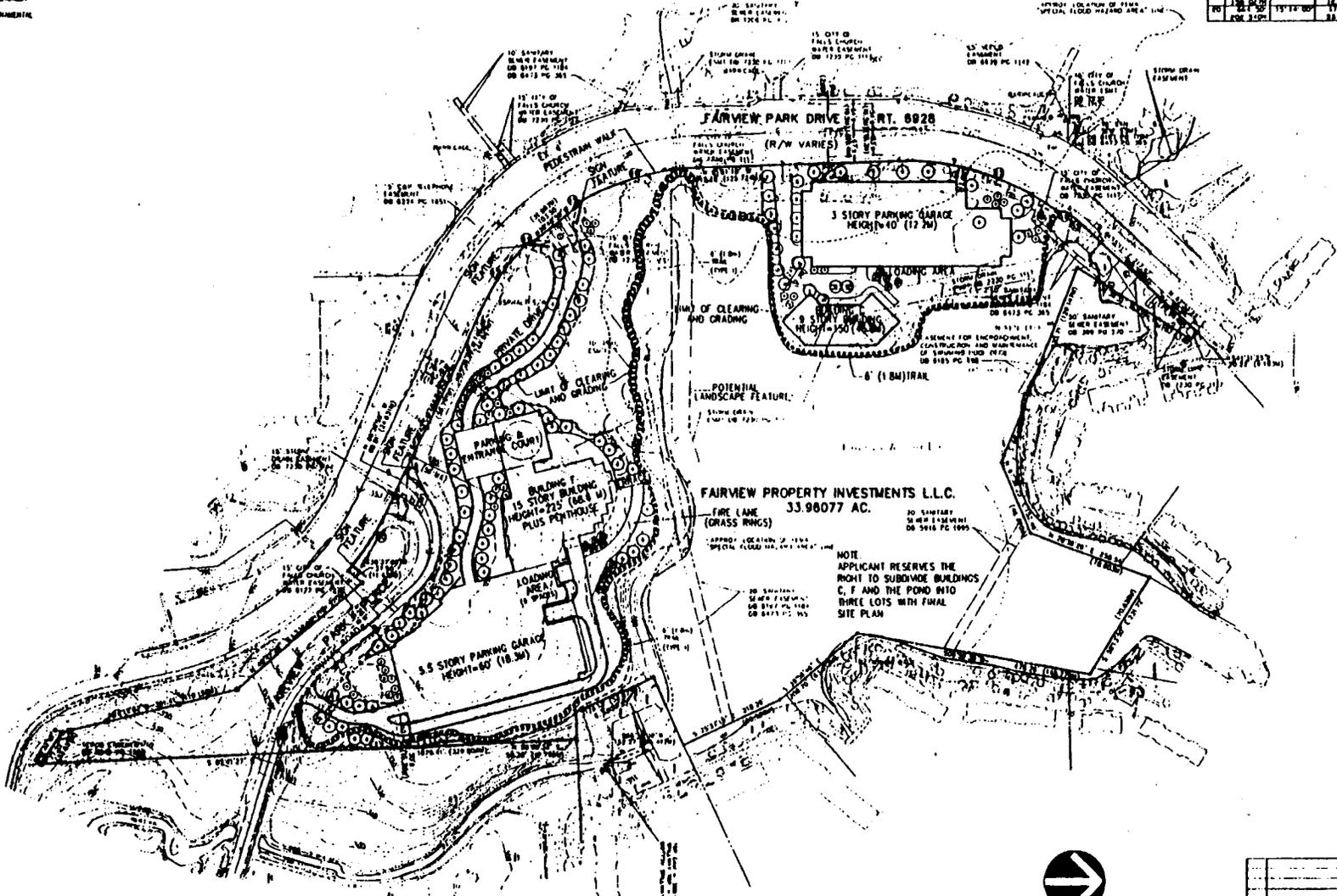
REV. OCT. 87, 1.  
MAY 78, 1991



**LEGEND**

- LARGE BODIUM
- EXHIBIT
- ⊙ ORNAMENTAL

NO.	START	END	LENGTH	CHORD	ANGLE
11	10+00.00	10+50.00	50.00	100.00	90°
12	10+50.00	11+00.00	50.00	100.00	90°
13	11+00.00	11+50.00	50.00	100.00	90°
14	11+50.00	12+00.00	50.00	100.00	90°
15	12+00.00	12+50.00	50.00	100.00	90°
16	12+50.00	13+00.00	50.00	100.00	90°
17	13+00.00	13+50.00	50.00	100.00	90°
18	13+50.00	14+00.00	50.00	100.00	90°
19	14+00.00	14+50.00	50.00	100.00	90°
20	14+50.00	15+00.00	50.00	100.00	90°



**FAIRVIEW PROPERTY INVESTMENTS L.L.C.**  
 33.96077 AC.  
 FIRE LANE (GRASS RWYS)

NOTE:  
 APPLICANT RESERVES THE  
 RIGHT TO SUBDIVIDE BUILDINGS  
 C, F AND THE POND INTO  
 THREE LOTS WITH FINAL  
 SITE PLAN



1/8" = 100'  
**GRAPHIC SCALE**



NO.	DESCRIPTION	DATE	APPROVED	DATE

PERSON APPROVED BY:  
 DIVISION OF DESIGN REVIEW

**VIKA**  
 VIKA ENGINEERING  
 1000 WEST 10TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 www.vika.com

**FAIRVIEW PARK  
 NORTHEAST QUADRANT  
 BUILDING C AND F  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA**

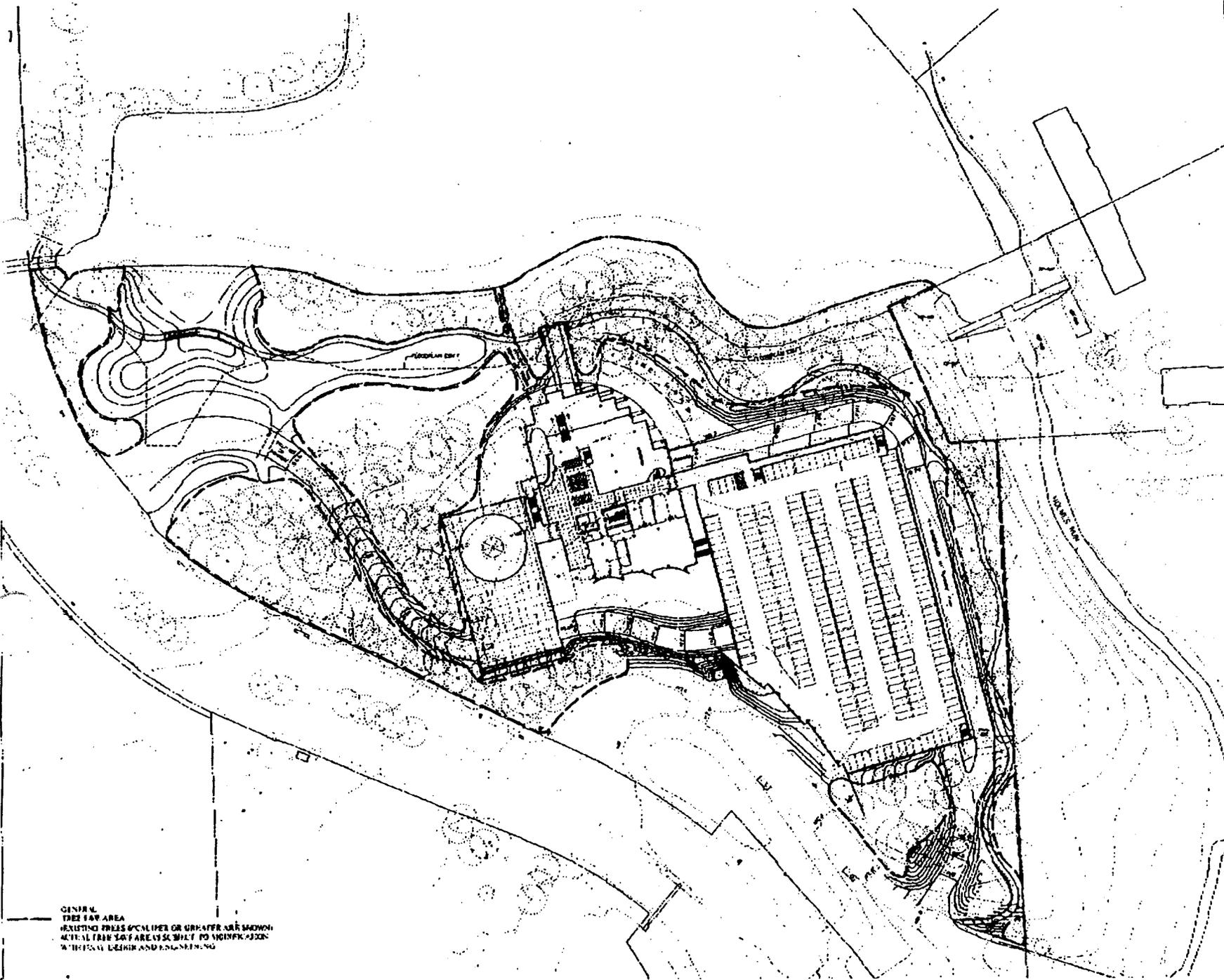
**FINAL DEVELOPMENT PLAN  
 AMENDMENT  
 80-P-073-3-3**

VIKA REVISIONS

NO.	DESCRIPTION

REV. OCT. 11, 1999  
 DATE OCTOBER 11, 1999  
 DES. J.A. CAD  
 SCALE 1"=100'  
 PROJECT/FILE NO. 8125  
 SHEET NO. 3 OF 4





GENERAL  
 THIS SITE AREA  
 EXISTING TREES & CONTOUR LINES OR GRADIENT ARE SHOWN  
 ACTUAL TREE SAFETY AREAS MUST BE DETERMINED BY  
 A TREE SURVEY AND ENGINEERING

Benito Cywinski Jackson Architecture Planning Interior Design 1000 West 17th Street, Philadelphia, PA 19102 Tel: 215-382-3721 Mobile: 215-551-1118 Fax: 215-382-3428 www.benjocjackson.com	
Doggs & Partners Architects 410 Sycamore Ave. Suite 100 Alexandria, VA 22304 Tel: 703-596-1101 Fax: 703-596-1308	
EDAM, Inc. 861 Estate Street Alexandria, VA 22314 Tel: 703-596-1101 Fax: 703-596-1308	
2941 Fairview Park Fairfax County, Virginia	
Preliminary Grading Plan	
Date: 1/15/00	Scale: 1"=10'
Sheet: 02	Total: 1-1
Project No: 01-0260	

## FINAL DEVELOPMENT PLAN CONDITIONS

FDPA 80-P-073-3-3

December 9, 1998

If it is the intent of the Planning Commission to approve Final Development Plan FDP 80-P-073-3-3 for office development at Tax Map 49-4 ((1)) 74, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions. These development conditions supercede only those previously approved development conditions set forth in FDPA 80-P-073-3-1 and FDPA 80-P-073-3-2 which provided specific reference to Buildings C and F. All other previously approved conditions set forth in FDPA 80-P-073-3-1 and FDPA 80-P-073-3-2 shall remain in full force and effect.

### Buildings C and F:

1. Development of the subject property shall be in substantial conformance with the Final Development Plan, prepared by Vika Engineering, dated May 12, 1998 as revised through December 9, 1998, consisting of five sheets. Minor modifications to the approved FDPA may be permitted pursuant to Par. 4 of Sect. 16-403 of the Zoning Ordinance.
2. The combined gross floor area of Buildings C and F shall not exceed 482,500 square feet. This gross floor area may be allocated between the two buildings at the discretion of the applicant within the building heights shown on the FDPA.
3. A tree preservation plan for the Building F site shall be submitted to the Urban Forestry Branch of DPW & ES for review and approval as part of the site plan submission. No land disturbing activities shall be permitted on site until the tree preservation plan is approved. The tree preservation plan shall provide for the preservation, to the extent reasonably practicable, as determined by the Urban Forester, of specific quality trees or clusters of trees in those areas identified as tree save area on the tree preservation exhibit entitled "Preliminary Grading Plan," prepared by EDAW, Inc. and dated October 1, 1998, as revised through October 12, 1998, which has been attached to the Final Development Plan as Sheet 5.

The tree preservation plan shall be prepared by a landscape architect or arborist certified by the International Society of Arboriculture. The tree preservation plan shall include recommendations for methods to be used to ensure preservation of the trees shown on the tree preservation exhibit attached as Sheet 5 to the FDP to be preserved and shall include the tree survey information gathered as part of the preparation of the exhibit (size and species of existing trees). In addition, a condition analysis using the methods described in the Guide for Plant Appraisal, eighth edition, published by the International Society of Arboriculture, shall be provided for those trees within the tree save areas shown to be preserved that are within 20 feet of any area to be cleared or graded.

All tree save areas and individual trees outside of the tree save areas shown to be preserved on the tree preservation plan shall be protected by orange, tree protection fencing, a minimum of four feet in height, placed as close as practical to the dripline of the trees to be preserved, as determined by the Urban Forester. The fencing shall be installed prior to any work being conducted on the site, and signage identifying "Tree Save Area. Do Not Disturb" shall be provided on the temporary fencing and shall be made clearly visible to all construction personnel.

In the event that trees identified clearly within tree save areas on the tree preservation exhibit cannot be preserved as determined by the Urban Forester, an equivalent area of replacement trees shall be planted on the site, as described in the PFM and in consultation with the Urban Forester.

4. As part of the site plan submissions for Buildings C and Building F, the applicant shall submit a vegetative restoration plan that shows the preservation and/or supplemental planting of native species of vegetation on the respective sites, generally along the perimeter of the lake, in an effort to increase the amount of native vegetation in the area. The restoration plan should include a wide variety of plant species including the use of non-PFM standard materials to allow for greater diversity of planting.
5. A six (6) foot wide trail within a ten (10) foot wide public access easement shall be provided along the perimeter of the lake, generally in the location shown on the FDPA. For Building F, the trail shall be field located to minimize the removal of trees within those areas designated for tree preservation on the tree preservation exhibit.
6. At the time of site plan approval for Building C, existing trees shall be retained and/or a landscaped earthen berm shall be provided to screen the parking garage from the view of the townhouses north of the lake, as

determined by the Urban Forester. For Building F, in addition to the tree save areas referenced in Condition 3 above, the applicant shall, to the extent reasonably practicable as determined by the Urban Forester, preserve existing trees and/or provide supplemental landscaping around the parking structure as to visually break up the appearance of the facade of the parking garage from the townhouses north of the lake through such means as planting of fast growing evergreen trees at 25-30 foot intervals or as deemed appropriate by the Urban Forester.

7. The parking structures shall be designed to incorporate architectural treatments to visually break up the horizontal expanse of the structures and shall include materials compatible with the associated building. Lighting within the parking structures shall be of a low intensity design to minimize glare from projecting beyond the parking structure, consistent with providing adequate security lighting. In addition, lighting fixtures located on any uncovered portion of the parking structure shall be limited to 16 feet in height, shall be of low intensity design and shall be shielded to prevent glare from projecting off-site.
8. In order to reduce hydrocarbon concentrations in the stormwater runoff generated on the portion of the site which is downstream of Lake Fairview, all stormwater runoff which flows from the impervious surfaces of the parking structure accessory to Building F shall be directed to enter Lake Fairview, as determined by DPW&ES.
9. The applicant will notify the County Archaeologist a minimum of 10 days prior to any grading or disturbance of the site. The applicant shall permit the County Archaeologist to recover any artifacts that are exposed during construction, with the understanding that this action will not interfere with or delay construction. The applicant reserves the right to retain any artifacts for exhibit within one of its office buildings.
10. The hours of operation for the proposed eating establishment within Building F shall be limited to 7:00 a.m. to 2:00 a.m., seven days a week. However, for quick service food stores and fast food restaurants which may be permitted as secondary uses within the office building, the hours of operation set forth in the development conditions approved with FDPA 80-P-073-3-2 shall control.

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

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

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: **FDPA 80-P-073-03-04**  
Fairview Park – 2941 Fairview, L.L.C.

**DATE:** 23 September 2003

This memorandum, prepared by John R. Bell, 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 final development plan dated June 18, 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:

In the Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, on page 15, the 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 10: Conserve and restore tree cover on developed and developing sites.  
Provide tree cover on sites where it is absent prior to development.**

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

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, on pages 4 through 8, the Plan states:

“The core of Fairfax County’s Environmental Quality Corridor (EQC) system is its stream valleys. Streams provide habitat for aquatic species and are an integral component of stream valley habitat systems. Streams also serve to replenish water sources that may ultimately provide drinking water and are places of natural beauty, that provide recreational and aesthetic opportunities, contributing to the quality of life in Fairfax County. Much of the County’s parkland consists of stream valley parks, and much of the County’s existing and planned trail system is located near streams. Land use and development activities have the potential to degrade the ecological quality of streams through the direct transport of pathogens and pollutants, as well as through hydrologic changes that can alter the character of flow in streams, resulting in alterations to stream morphology (e.g., stream bank erosion). The protection and restoration of the ecological quality of streams is important to the conservation of ecological resources in Fairfax County. Therefore, efforts to minimize adverse impacts of land use and development on the County’s streams should be pursued.

**Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological 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. . . .

Policy k. For new development and redevelopment, apply low-impact site design techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.

- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- Encourage the preservation of wooded areas and steep slopes adjacent to stream valley EQC areas.
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.
- Encourage the use of open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements.

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

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

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

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

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

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, on pages 10 through 11, the Plan states:

"Unlike some parts of the United States, Fairfax County is not subject to major natural disasters such as earthquakes, or major forest fires. However the County is not free of natural and human made hazards to new and existing development.

There are hazards to property in some areas of the County posed by wet or unstable soils. Marine clay soils found in the eastern part of the County and shrink-swell clay soils found primarily in the western area can cause foundation failures, cracked and shifting walls, and in extreme cases, catastrophic slope failure. Asbestos bearing soils may pose a health risk to construction workers requiring special precautions during excavation.

**Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils. . . .**

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards."

## **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.

### **Tree Cover**

#### **Issue:**

The subject application is presented, in large part, due to development activity which occurred on the subject property without the benefit of appropriate prior approvals. Of particular note is the clearing of a substantial area of tree cover in order to create additional parking area for the subject property. This area had previously been delineated as a tree save area under earlier applications for the property. Staff is concerned that the removal of the existing tree cover is inconsistent with prior approvals and the applicants have provided no clear intent to offset this loss.

#### **Resolution:**

The applicants should clearly delineate an area or areas on the subject property where no tree cover currently exists to create a restoration area in order to offset the loss of trees in the now existing parking area. This area should be of a size which is equal to or greater than the area which was lost due to the removal of trees to create the new parking area. A final determination on the most appropriate restoration area(s) and plant species will be made by staff in the Urban Forestry Division in DPWES.

### **Water Quality**

#### **Issue:**

A portion of the area which was disturbed to create the new parking area extends into the 100-year floodplain area of the adjacent lake. This area had previously been delineated as Environmental Quality Corridor (EQC) and Resource Protection Area (RPA). Consistent with Comprehensive Plan guidance, staff does not support any such encroachments into this environmentally sensitive area.

#### **Resolution:**

All fill materials should be removed from this area. No additional encroachments into this area should occur. The applicants should remove the fill material and restore the disturbed area to a more natural state.

PGN: JRB

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

**TO:** Fran Burnszynski, Staff Coordinator  
Zoning Evaluation Division, DPZ

**DATE:** October 28, 2003

**FROM:** Todd Nelson, Urban Forester II  
Urban Forestry Division, OSDS 

**SUBJECT:** 2941 Fairview; FDPA 80-P-073-3-4

**RE:** Request for assistance dated October 16, 2003

This review is based upon a site visit conducted on October 27, 2003, and the Final Development Plan Amendment stamped "Received, Department of Planning and Zoning, October 14, 2003".

- 1. Comment:** The existing vegetation at the northeast corner of the valet parking area consists of individual landscapes trees including, willow, paulowia, red oak, and Chinese flametree. This area is considerably open and should be further supplemented with evergreen and deciduous plantings.

**Recommendation:** Applicant should supplement this area with a mix of overstory (Category III and IV) and understory (Category I and II) evergreen and deciduous trees. Trees that are well suited for this location include red maple, red oak, American holly, American beech, willow oak, dogwood, dark green arborvitae, Japanese cryptomeria, eastern redcedar and many others.

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

TLN/  
UFDID# 04-0697

cc: DPZ file  
RA file

## FAIRFAX COUNTY VIRGINIA

## MEMORANDUM

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

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

**FILE:** 3-4 (RZ 80-P-073)

**SUBJECT:** Transportation Impact

**REFERENCE:** FDPA 80-P-073-03-04, Fairview Park  
Traffic Zone: 1432  
Land Identification Map: 49-4 ((1)) 74A

**DATE:** October 24, 2003

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated June 18, 2003.

The subject property is zoned PDC-Planned Development Commercial, however, the as-built condition differs from the latest approved FDPA in that a drop-off drive and "valet only" parking area serving the restaurant, and an outdoor dining terrace were constructed without the benefit of an approved FDPA. The proposed FDPA seeks to revise these areas of the approved FDPA to incorporate the restaurant drive and valet only parking area and outdoor dining area.

This department has no issues with this application.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

**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		