



APPLICATION ACCEPTED: May 25, 2010
PLANNING COMMISSION: September 22, 2010
BOARD OF SUPERVISORS: September 28, 2010 @ 3:30 PM

County of Fairfax, Virginia

September 8, 2010

CRA

STAFF REPORT

APPLICATIONS PCA/FDPA 2003-PR-009

PROVIDENCE DISTRICT

APPLICANT: MTC Commercial, LLC

PRESENT ZONING: PRM and HC

PARCEL(S): 49-4 ((17)) 2 pt.

ACREAGE: 21,321 square feet (0.49 acres)

FAR: 1.35 (including affordable dwelling units and bonus density)

OPEN SPACE: 21.1%

PLAN MAP: Mixed Use

PROPOSAL: The applicant seeks to amend the previously approved proffers and the conceptual/ final development plans associated with RZ/FDP 2003-PR-009 for mixed use development with an overall floor area ratio (FAR) of 1.35 to permit minor site modifications. No change to the approved overall FAR is proposed.

RECOMMENDATIONS:

Staff recommends approval of PCA 2003-PR-009 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDPA 2003-PR-009.

Staff recommends approval of a reaffirmation of the previously approved modification of the loading space requirement to permit three spaces instead of five spaces in the southern building.

William O'Donnell

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

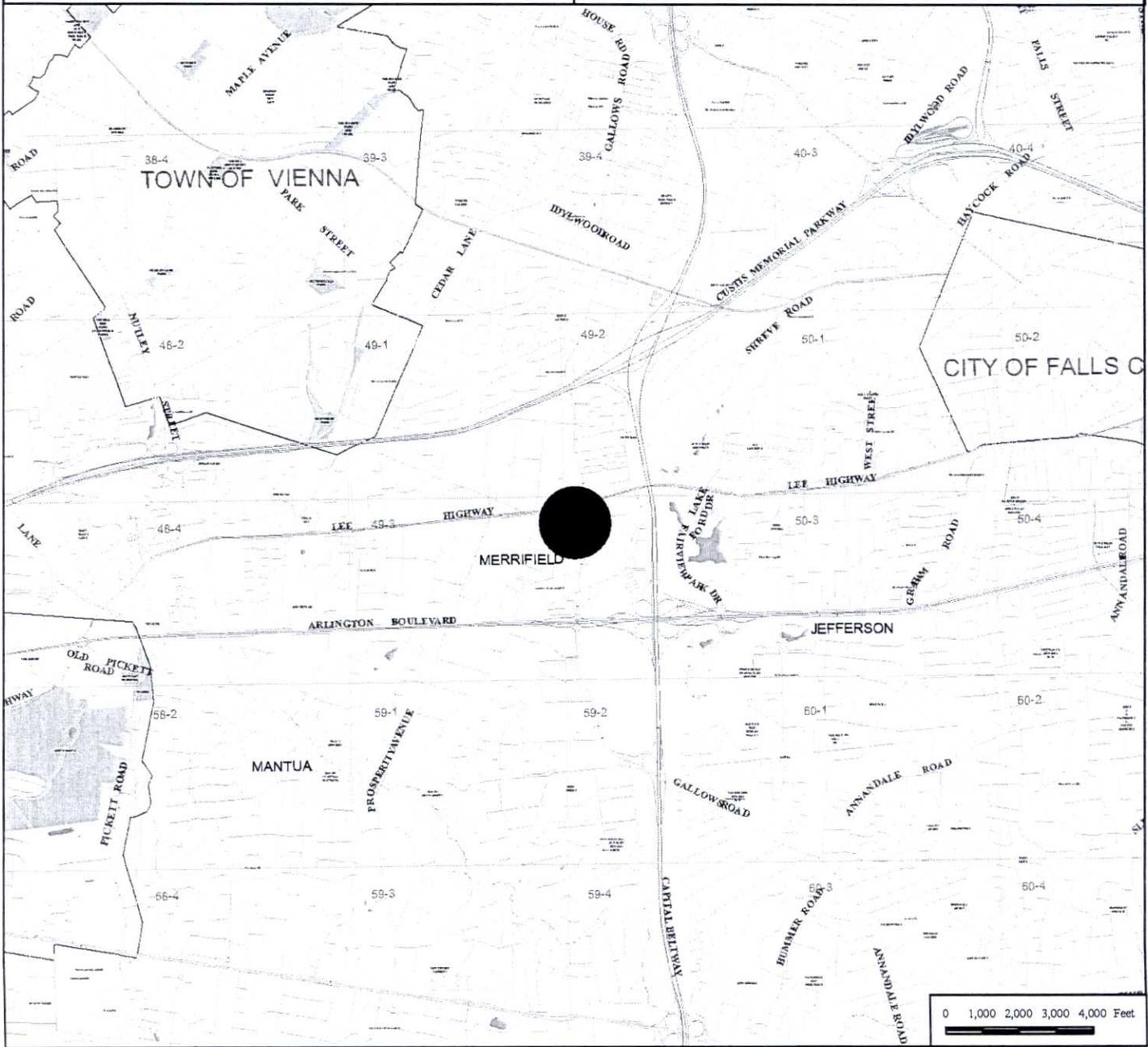
The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\wodonn\ZED\PCA\Uniwest PCA 2003-PR-009\PCA 2003-PR-009_Uniwest_Staff_Report_Cover.doc



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

Proffered Condition Amendment PCA 2003-PR-009	Final Development Plan Amendment FDPA 2003-PR-009
Applicant: MTC COMMERCIAL, LLC Accepted: 05/25/2010 Proposed: AMEND RZ 2003-PR-009 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS	Applicant: MTC COMMERCIAL, LLC Accepted: 05/25/2010 Proposed: AMEND FDP 2003-PR-009 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS
Area: 21,321 SF OF LAND; DISTRICT - INPUT REQUIRED	Area: 21,321 SF OF LAND; DISTRICT - INPUT REQUIRED
Zoning Dist Sect: Located: SOUTHSIDE OF LEE HIGHWAY 400 FEET WEST OF INTERSECTION WITH GALLOWS ROAD AND NORTH OF STRAWBERRY LANE	Zoning Dist Sect: Located: SOUTHSIDE OF LEE HIGHWAY 400 FEET WEST OF INTERSECTION WITH GALLOWS ROAD AND NORTH OF STRAWBERRY LANE
Zoning: PRM Overlay Dist: HC CRA Map Ref Num: 049-4- /17/02/ pt.	Zoning: PRM Overlay Dist: HC CRA Map Ref Num: 049-4- /17/02/ pt.



Proffered Condition Amendment

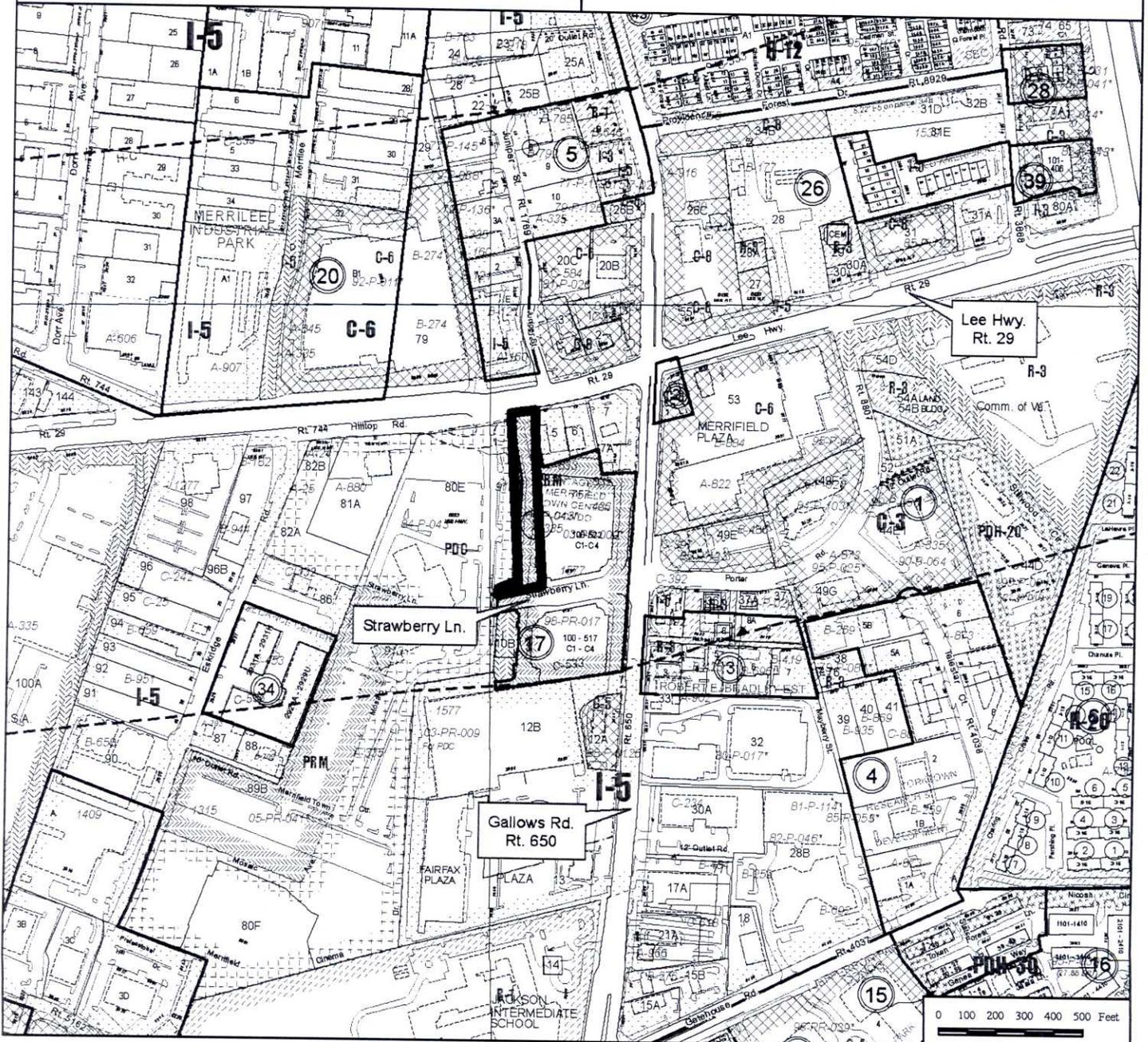
PCA 2003-PR-009

Applicant: MTC COMMERCIAL, LLC
 Accepted: 05/25/2010
 Proposed: AMEND RZ 2003-PR-009 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS
 Area: 21,321 SF OF LAND; DISTRICT - INPUT REQUIRED
 Zoning Dist Sect: Located: SOUTHSIDE OF LEE HIGHWAY 400 FEET WEST OF INTERSECTION WITH GALLOWS ROAD AND NORTH OF STRAWBERRY LANE
 Zoning: PRM
 Overlay Dist: HC CRA
 Map Ref Num: 049-4- /17/02/ pt.

Final Development Plan Amendment

FDPA 2003-PR-009

Applicant: MTC COMMERCIAL, LLC
 Accepted: 05/25/2010
 Proposed: AMEND FDP 2003-PR-009 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT SITE MODIFICATIONS
 Area: 21,321 SF OF LAND; DISTRICT - INPUT REQUIRED
 Zoning Dist Sect: Located: SOUTHSIDE OF LEE HIGHWAY 400 FEET WEST OF INTERSECTION WITH GALLOWS ROAD AND NORTH OF STRAWBERRY LANE
 Zoning: PRM
 Overlay Dist: HC CRA
 Map Ref Num: 049-4- /17/02/ pt.

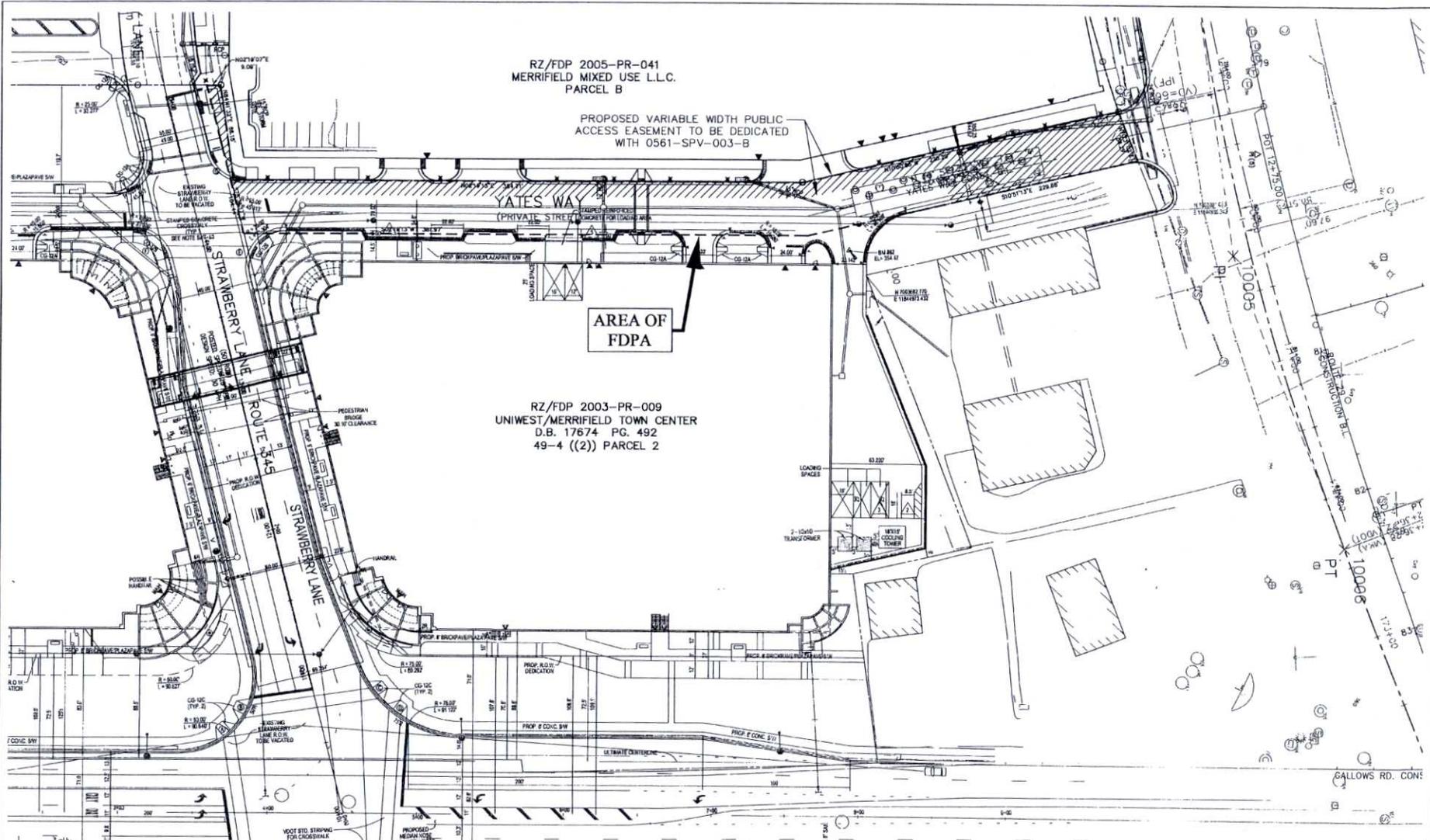


RZ/FDP 2005-PR-041
MERRIFIELD MIXED USE L.L.C.
PARCEL B

PROPOSED VARIABLE WIDTH PUBLIC
ACCESS EASEMENT TO BE DEDICATED
WITH 0561-SPV-003-B

AREA OF
FDPA

RZ/FDP 2003-PR-009
UNIWEST/MERRIFIELD TOWN CENTER
D.B. 17674 PG. 492
49-4 ((2)) PARCEL 2



- NOTES**
- 1) FOR TOPOGRAPHY, PLEASE SEE CDP/TFP EXISTING CONDITION PLAN.
 - 2) SEE CDP/TFP FOR OVERALL PROPERTY OUTLINE AND SURVEY DATA.
 - 3) NO NEW STRUCTURES ARE PROPOSED ON THIS FDPA.
 - 4) THIS IS A WIDENING OF AN EXISTING ROADWAY, NO NEW CIRCULATION IS PROPOSED.
 - 5) NO NEW PARKING IS PROPOSED.
 - 6) LANDSCAPE ALONG THE WEST SIDE OF THE ROAD WILL BE PROVIDED WITH THE ADJOINING WEST PROPERTY DEVELOPMENT, NO CHANGES ARE PROPOSED WITH THE EASTERN LANDSCAPING.
 - 7) THERE ARE NO GRAVES OR BURIAL SITES KNOWN ON THIS SITE.
 - 8) SEE CDP/TFP FOR PUBLIC UTILITY CONNECTIONS TO BUILDINGS.
 - 9) EXISTING STORMWATER IS IN PLACE AS APPROVED WITH 0561-SP-01 AND ITS INCLUSION HEREIN IS REQUESTED TO BE WAIVED.
 - 10) THERE ARE NO EASEMENTS OVER 25' IN THE AREA OF THE FDPA.
 - 11) THERE ARE NO FLOODPLAINS.
 - 12) DEVELOPMENT OF THIS ROAD EXPANSION WILL BE DONE IN ONE PHASE.

- 13) THERE IS NO CHANGE IN # OF UNITS.
- 14) THERE IS NO CHANGE TO DENSITY PER ACRE.
- 15) FLOOR AREA AND FLOOR AREA RATIO IS UNCHANGED.
- 16) THERE IS NO CHANGE TO RECREATIONAL OPEN SPACE AS DEFINED IN ARTICLE 20 OF THE ZONING ORDINANCE.
- 17) THERE IS NO CHANGE TO THE APPROVED PARKING AND LOADING.
- 18) BONUS DENSITY IS PER THE ORIGINAL ZONING.
- 19) THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PARTS 116.4, 302.4 AND 355, OR HAZARDOUS WASTE AS DEFINED IN TITLE 40 CODE OF REGULATIONS PART 280 OF THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY HAZARDOUS WASTE MANAGEMENT REGULATIONS.
- 20) THIS FDPA IS IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS.

REVISED OPEN SPACE:
REQUIRED OPEN SPACE = 20%

PREVIOUSLY APPROVED DEVELOPMENT PLAN = 23% OPEN SPACE
SITE AREA PER PREVIOUSLY APPROVED DEVELOPMENT PLAN = 325,828 SF

OPEN SPACE THEN COMPUTED AS $325,828 \times 0.23 = 74,940.44$ SF

SUBJECT APPLICATION PROPOSES A REDUCTION OF 8,000 SF OF OPEN SPACE

NEW OPEN SPACE PROVIDED = $74,940.44 - 8,000 = 66,940.44$ SF
 $66,940.44 / 325,828 = 21.1\%$



NORTH (VCS 83)
GRAPHIC SCALE



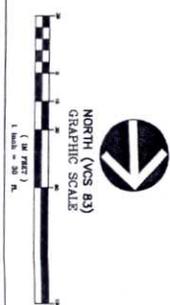
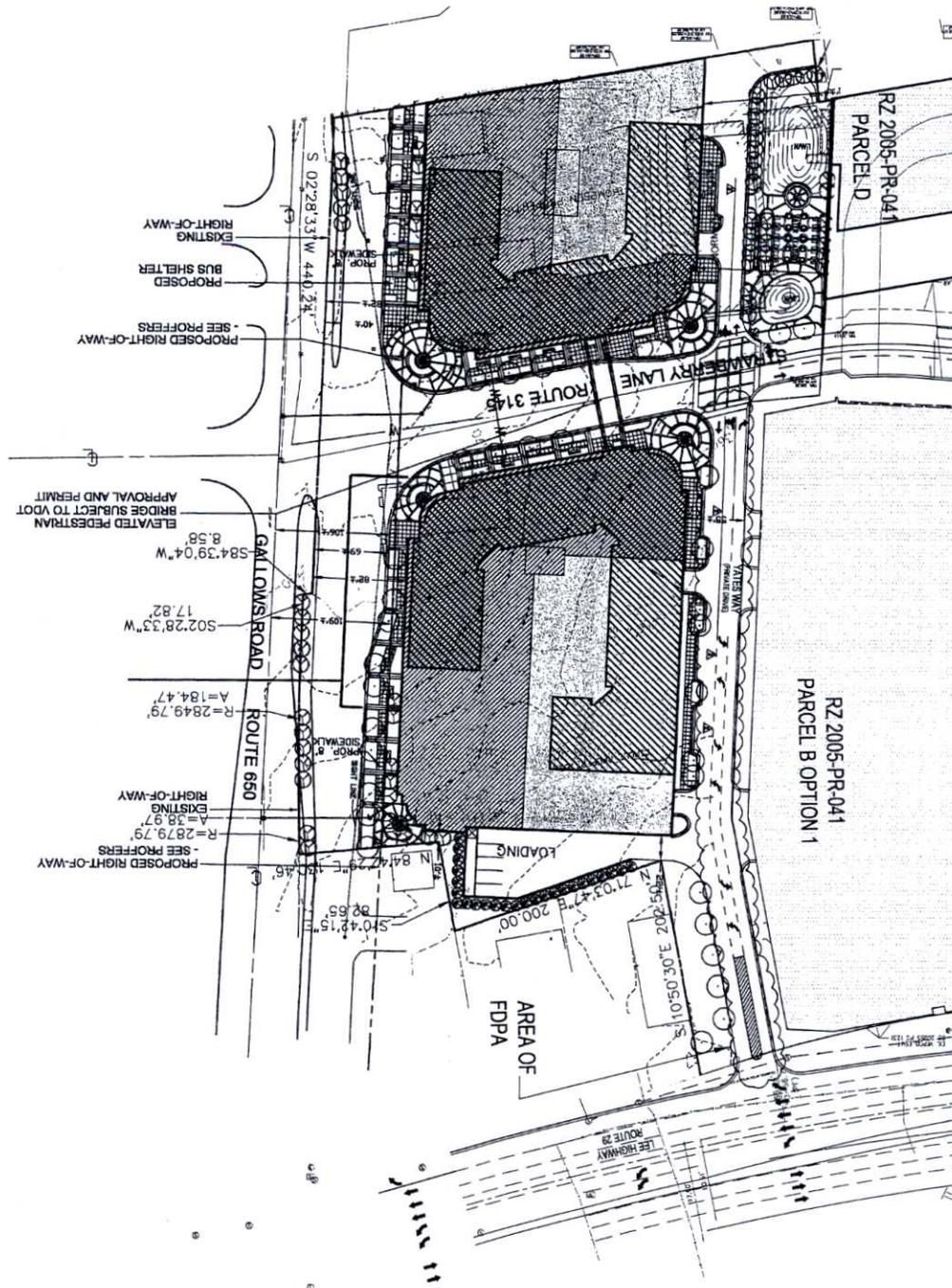
MERRIFIELD TOWN CENTER
CDPA/FDPA 2003-PR-009
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

FINAL DEVELOPMENT
PLAN AMENDMENT



VKA REVISIONS
REVISED 8/24/2010
REVISED 8/28/2010

DATE: APRIL 2010
DES. SEC. DWN. KY
SCALE: 1" = 30'
PROJECT/FILE NO. 6575
SHEET NO. 1 OF 2



DATE	7/28/2010
DESIGNER	WVA INCORPORATED
PROJECT/FILE NO.	65275
SHEET NO.	2 OF 2
VWA REVISIONS REVISION 07/25/10 REVISION 07/28/2010	

CONTEXT GRAPHIC

MERRIFIELD TOWN CENTER
CDPA/FDPA 2003-PR-009

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA



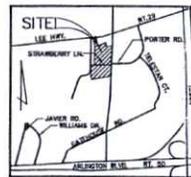
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ OPS SERVICES

WVA INCORPORATED
8180 GREENBROOK DRIVE, SUITE 200 ■ BURLINGAME, VIRGINIA 22032
(703)442-7800 ■ FAX (703)781-2787
MCLEAN, VA ■ GERMANTOWN, MD

Uniwest/Merrifield Town Center

Providence District Fairfax County, Virginia

Conceptual/Final Development Plan



VICINITY MAP
 SCALE: 1" = 2,000'

Applicant:

 **UNIWEST** Group, LLC.
 2900 Telestar Ct., Suite 300
 Falls Church, VA 22042

Sheet Index

1. COVER SHEET
2. EXISTING VEGETATION AND CONDITIONS MAP - NOTES AND TABULATION
3. CONCEPTUAL/FINAL DEVELOPMENT PLAN/OVERALL PLAN 50 SCALE
4. PARTIAL MERRIFIELD TOWN CENTER ILLUSTRATIVE
5. RESIDENTIAL PARKING - PG LEVEL - 352±
6. RETAIL / PARKING - PC LEVEL - 352±
7. RETAIL / PARKING - PB LEVEL - 374±
8. RETAIL / PARKING - PA LEVEL - 384±
9. RESIDENTIAL FIRST FLOOR PLAN WITH ROOF TOP GARDEN - 394±
10. BUILDING SECTIONS
11. BUILDING ELEVATIONS
12. PARTIAL ELEVATION
13. NORTH ELEVATION
14. PARK PLAN AND STREETCAPE DETAILS
15. LOADING BAY SECTIONS
16. INTERIM ROADWAY IMPROVEMENTS
17. ULTIMATE ROADWAY IMPROVEMENTS
18. SWM EXHIBIT AND DRAINAGE DIVIDES



Application No. R2/FOP 2003-PC Sheet AA4/18
 APPROVED DEVELOPMENT PLAN
 (DP) (GP) (PP) (PDS) PC
 SEE PROFFERS DATED 2-20-04 1-18-07
 Date of (R2) (GP) approval 2-23-04 12-11-07
 Sheet 1 of 18

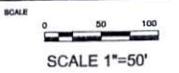
January 14, 2003
 Rev. May 20, 2003
 Rev. July 18, 2003
 Rev. Sept. 3, 2003
 Rev. Oct. 2, 2003
 Rev. Nov. 14, 2003
 Rev. Nov. 19, 2003
 Rev. Dec. 12, 2003

Uniwest/Merrifield Town Center
 Conceptual/Final Development Plan

January 14, 2003
 Rev. May 20, 2003
 Rev. July 18, 2003
 Rev. Sept. 3, 2003
 Rev. Oct. 2, 2003
 Rev. Nov. 14, 2003
 Rev. Nov. 19, 2003
 Rev. Dec. 12, 2003

SUBMISSION DATE
 RECEIVED
 Department of Planning & Zoning
 DEC 16 2003
 M-10407
 Zoning Enforcement Division

MERRIFIELD
 TOWN CENTER
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

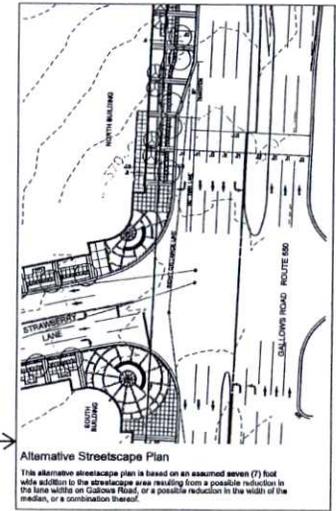


No.	DATE	BY	Description
7	12/12/03	JMC	
6	11/19/03	JMC	
5	11/14/03	JMC	
4	10/22/03	JMC	
3	9/2/03	JMC	
2	7/18/03	JMC	
1	5/20/03	JMC	

DESIGNED BY: JMC
 APPROVED BY: PDY
 CHECKED BY: PDY
 DATE: 1/14/03

TITLE
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN

PROJECT NO. M-10407



PROPOSED RIGHT-OF-WAY
 - SEE PROFFERS
 R=2879.79'
 A=38.97'

EXISTING RIGHT-OF-WAY
 R=2849.79'
 A=184.47'

ELEVATED PEDESTRIAN
 BRIDGE SUBJECT TO VDOT
 APPROVAL AND PERMIT
 S02°28'33"W
 17.82'

PROPOSED RIGHT-OF-WAY
 - SEE PROFFERS

PROPOSED BUS SHELTER

EXISTING RIGHT-OF-WAY

BUILDING SCHEDULE

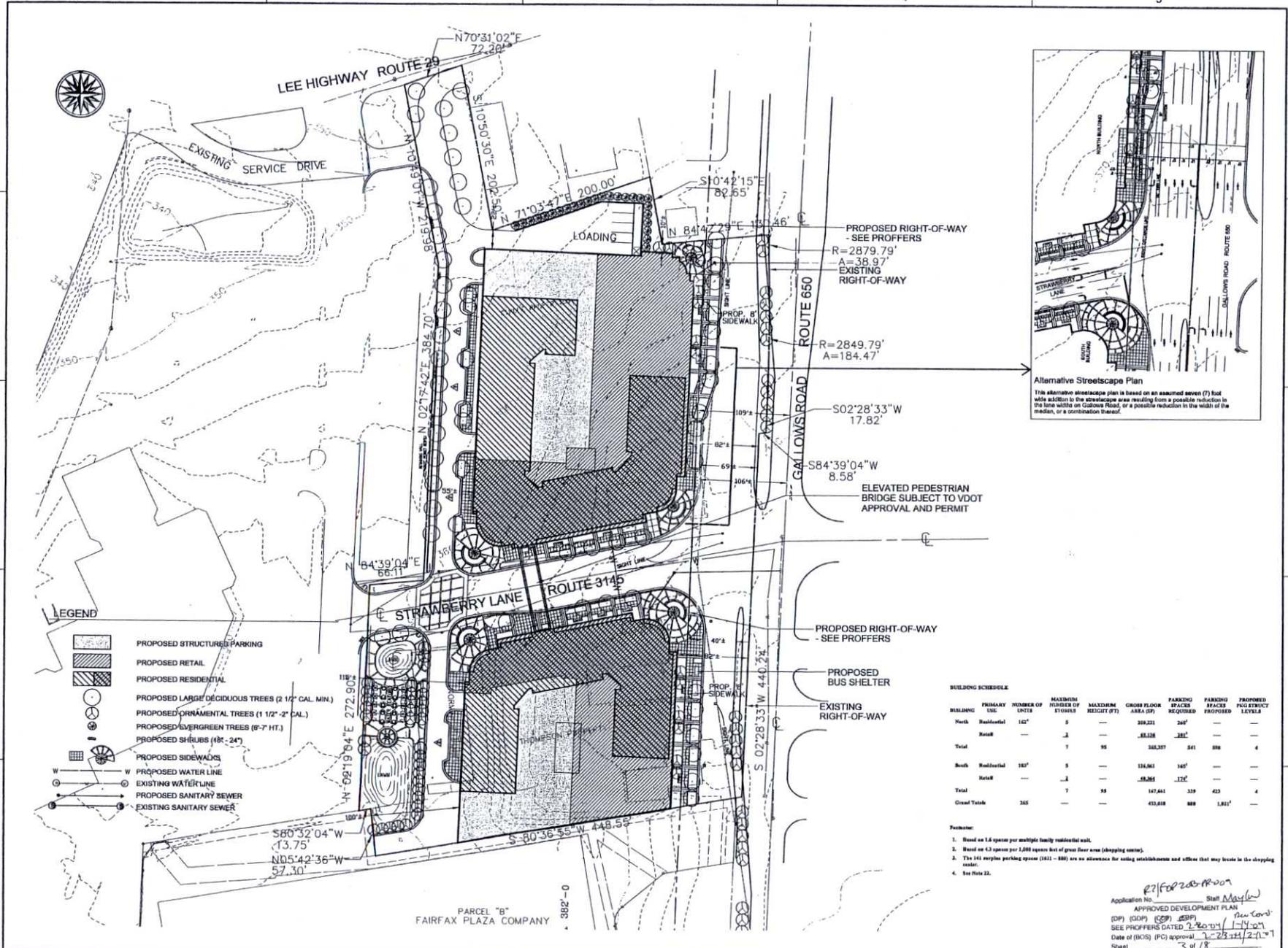
BUILDING USE	NUMBER OF UNITS	MAXIMUM NUMBER OF STORES	MAXIMUM HEIGHT (FT)	GROSS FLOOR AREA (SF)	PARKING SPACES REQUIRED	PARKING SPACES PROPOSED	PROPOSED FOOT CANDLE LEVELS
Multi Residential	121	5	—	39,221	240	—	—
Multi	—	3	—	65,138	381	—	—
Total	121	8	90	104,359	621	621	4
Multi Residential	187	5	—	126,062	340	—	—
Multi	—	3	—	58,265	121	—	—
Total	187	8	90	184,327	461	423	4
Grand Total	308	16	90	428,686	1,082	1,044	8

- Footnote:**
- Based on 1.8 spaces per multiple family residential unit.
 - Based on 4.3 spaces per 1,000 square feet of gross floor area (shopping center).
 - The 141 required parking spaces (121 + 20) are an allowance for retail establishments and offices that may locate in the shopping center.
 - See Note 22.

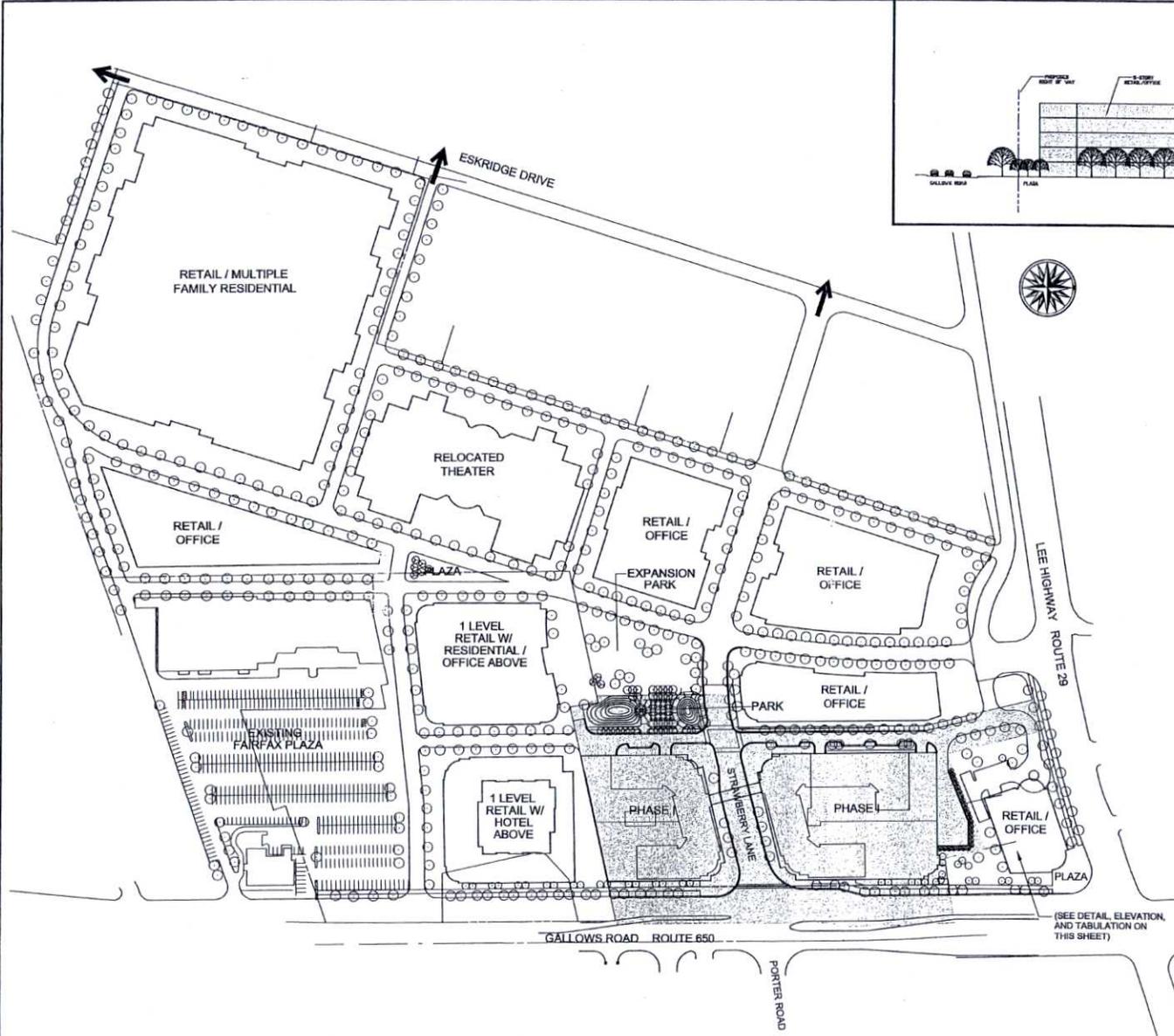
Application No. 22/F042007R001 Date: 1/14/07
 APPROVED DEVELOPMENT PLAN
 (DP) (DUP) (SP) (SHP)
 SEE PROFFERS DATED 12/20/04
 Date of (BOS) (PC) approval 12/23/04
 Sheet 3 of 18

PARCEL "B"
 FAIRFAX PLAZA COMPANY

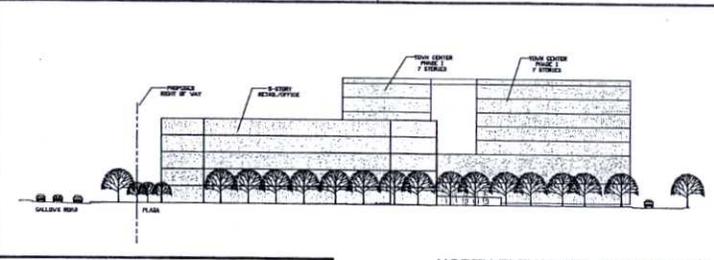
- LEGEND**
- PROPOSED STRUCTURED PARKING
 - PROPOSED RETAIL
 - PROPOSED RESIDENTIAL
 - PROPOSED LARGE DECIDUOUS TREES (2 1/2" CAL. MIN.)
 - PROPOSED ORNAMENTAL TREES (1 1/2"-2" CAL.)
 - PROPOSED EVERGREEN TREES (6'-7' HT.)
 - PROPOSED SHRUBS (18"-24")
 - PROPOSED SIDEWALKS
 - PROPOSED WATER LINE
 - EXISTING WATER LINE
 - PROPOSED SANITARY SEWER
 - EXISTING SANITARY SEWER



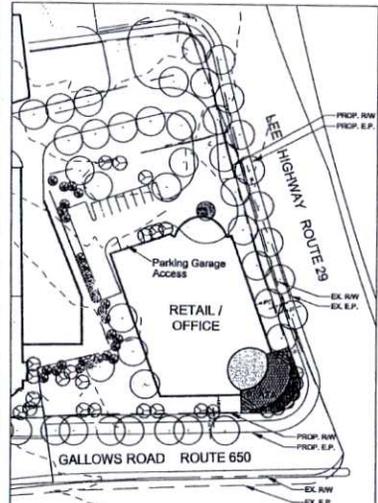
1 2 3 4 5
 E
 D
 C
 B
 A



SCALE 1"=100'



NORTH ELEVATION - LEE HIGHWAY
SCALE 1"= 40'



DETAIL SCALE 1"= 60'

TABULATION FOR POSSIBLE BUILDING AT INTERSECTION:

EXISTING GROSS LAND AREA (LOTS 5, 6, 7, 7A)	87,497 SF
APPROXIMATE LAND AREA AFTER DEDICATION/TAKE	38,062 SF
ASSUMED MAXIMUM POSSIBLE GROUND FLOOR AREA AT 1.3 FAR ON GROSS LAND AREA	100,000 SF
BUILDING HEIGHT (FOOTPRINT OF 21,000 SF)	5 STOREYS
PARKING SPACES REQUIRED FOR ONE STORY RETAIL AT 21,000 SF AND FOUR STOREYS OFFICE AT 84,000 SF	343
PARKING SPACES PROVIDED	350
SURFACE BELOW-GRADE GARAGE (3 LEVELS)	342

(SEE DETAIL, ELEVATION, AND TABULATION ON THIS SHEET)



Dewberry & Davis LLC
 1000 Woodloch Circle, Suite 100
 McLean, VA 22102 703.886.8275
 www.dewberry.com

DAVIS • CARTER • SCOTT
 ARCHITECTS AND INTERIOR ARCHITECTS
 1000 Woodloch Circle, Suite 100
 McLean, VA 22102 703.886.8275
 www.dccva.com

MERRIFIELD TOWN CENTER
 PARTIAL
 MERRIFIELD TOWN CENTER ILLUSTRATIVE
 PROPOSAL
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

AS SHOWN

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/2/03	JMC	
1	9/2/03	JMC	

TITLE
Partial Merrifield Town Center Illustrative

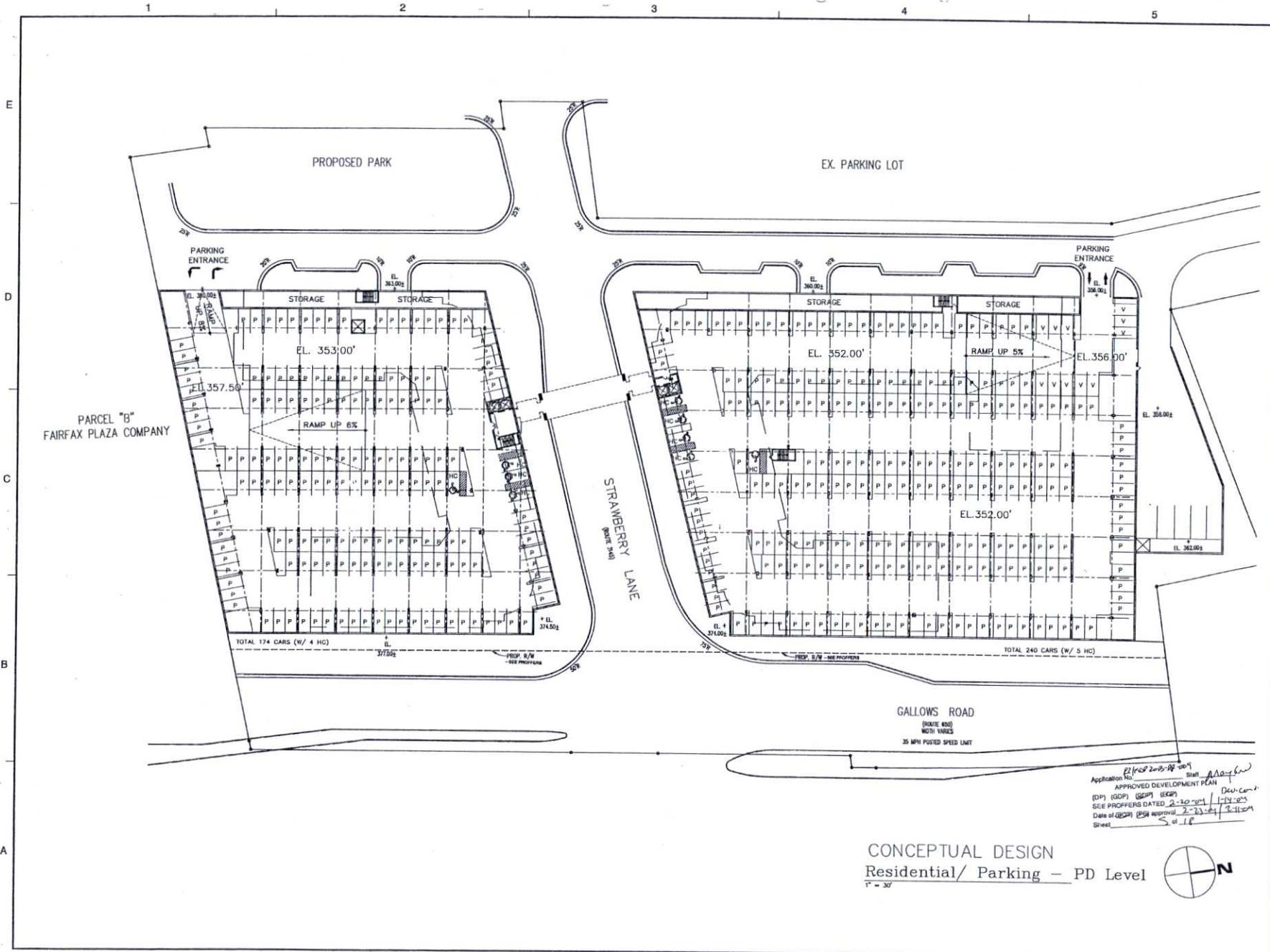
PROJECT NO. M-10407

4

SHEET NO. 4 of 18

Application No. *R160P 2003 PR 009*
 6188 *May 12 04*
 APPROVED DEVELOPMENT PLAN
 (DP) (DDP) (DDP) (DDP) *2-2-04 1-14-04*
 SEE PROFESSIONALS DATED *2-2-04 1-14-04*
 Date of (DDP) (DDP) approval *2-23-04 2-11-04*
 Sheet *4 of 8*

© PROJECT: MerrifieldTownCenter.dwg, 12/12/2003, 3:25:03 PM, JMC



Dewberry & Davis LLC
 841 ANASTON BLVD
 FARMER, VA 22029
 FAX: 703.448.0118
 www.dewberry.com

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 ARCHITECTS AND INTERIORS
 1878 International Drive, Suite 200
 Mechanicsville, VA 23102
 703.883.8873

800 Fiferwood Street, 15th Fl., Suite 1100
 Washington, D.C. 20004 202.682.2200

MERRIFIELD
 TOWN CENTER
 RESIDENTIAL PARKING -
 PD LEVEL
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE
 AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	1/18/03	JMC	
3	1/14/03	JMC	
2	10/2/03	JMC	
1	9/3/03	JMC	

DESIGNED BY: DCS
 DRAWN BY: PDY
 APPROVED BY: PDY
 CHECKED BY: PDY
 DATE: 7/18/03
 TITLE:

Residential Parking
 PD Level
 352'±
 PROJECT NO. M-10407

CONCEPTUAL DESIGN
 Residential/ Parking - PD Level
 1" = 30'

Application No. 221608-0009
 Approved Development Plan
 (DP) (GDP) (GDP) (GDP) Dan-Curt
 SEE PROFFERS DATED 2-10-04 / 1-14-03
 Date of (GDP) (GDP) approval 2-23-04 / 2-11-04
 Sheet 5 of 18

Dewberry & Davis LLC
 8401 ANNEPOLE BLVD
 ANNAPOLIS, VA 20701
 PHONE: 703.582.1200
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 Mechanicsville, VA 23103 703.588.8273
 800 Thomas Street, 11th Floor, Suite 1100
 Washington, D.C. 20002 202.682.2200

MERRIFIELD
 TOWN CENTER
 RETAIL / PARKING -
 PC LEVEL
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



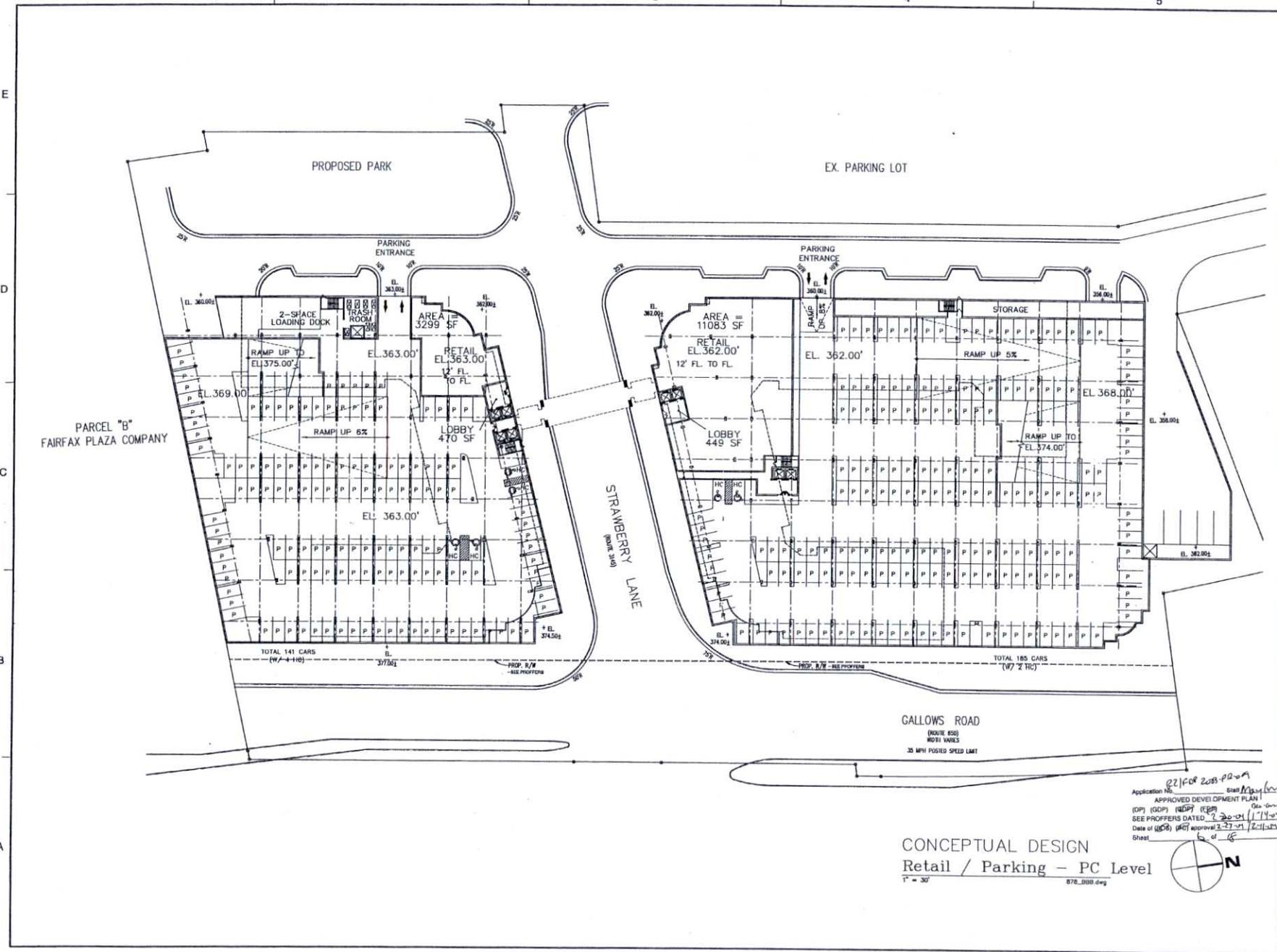
KEY PLAN

SCALE
 AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/19/03	JMC	
3	11/14/03	JMC	
2	10/2/03	JMC	
1	9/2/03	JMC	

REVISIONS
 DRAWN BY DCS
 APPROVED BY PCT
 CHECKED BY PCT
 DATE 7/18/03

TITLE
**Retail / Parking
 PC Level
 362'±**
 PROJECT NO. M-10407



CONCEPTUAL DESIGN
 Retail / Parking - PC Level
 1" = 30'
 878_000.dwg

Application No. 221608-2003-P2-09
 APPROVED DEVELOPMENT PLAN
 (DP) (ODP) (NDP) (ERP)
 SEE PROFFERS DATED 12-20-04 / 1/14-07
 Date of (ODP) (NDP) approval 2-27-07 / 2-1-07
 Sheet 6 of 18



Dewberry & Davis LLC
 3411 AIRPORT BLVD.
 FAYETTE, VA 22031
 PHONE: 703.898.0100
 FAX: 703.898.0110
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 1478 International Drive, Suite 800
 Raleigh, VA 27608 703.998.5075
 803 Riverside Blvd., N.Y. Suite 1100
 Washington, D.C. 20005 202.862.2200

MERRIFIELD
 TOWN CENTER
 RETAIL / PARKING -
 PB LEVEL
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



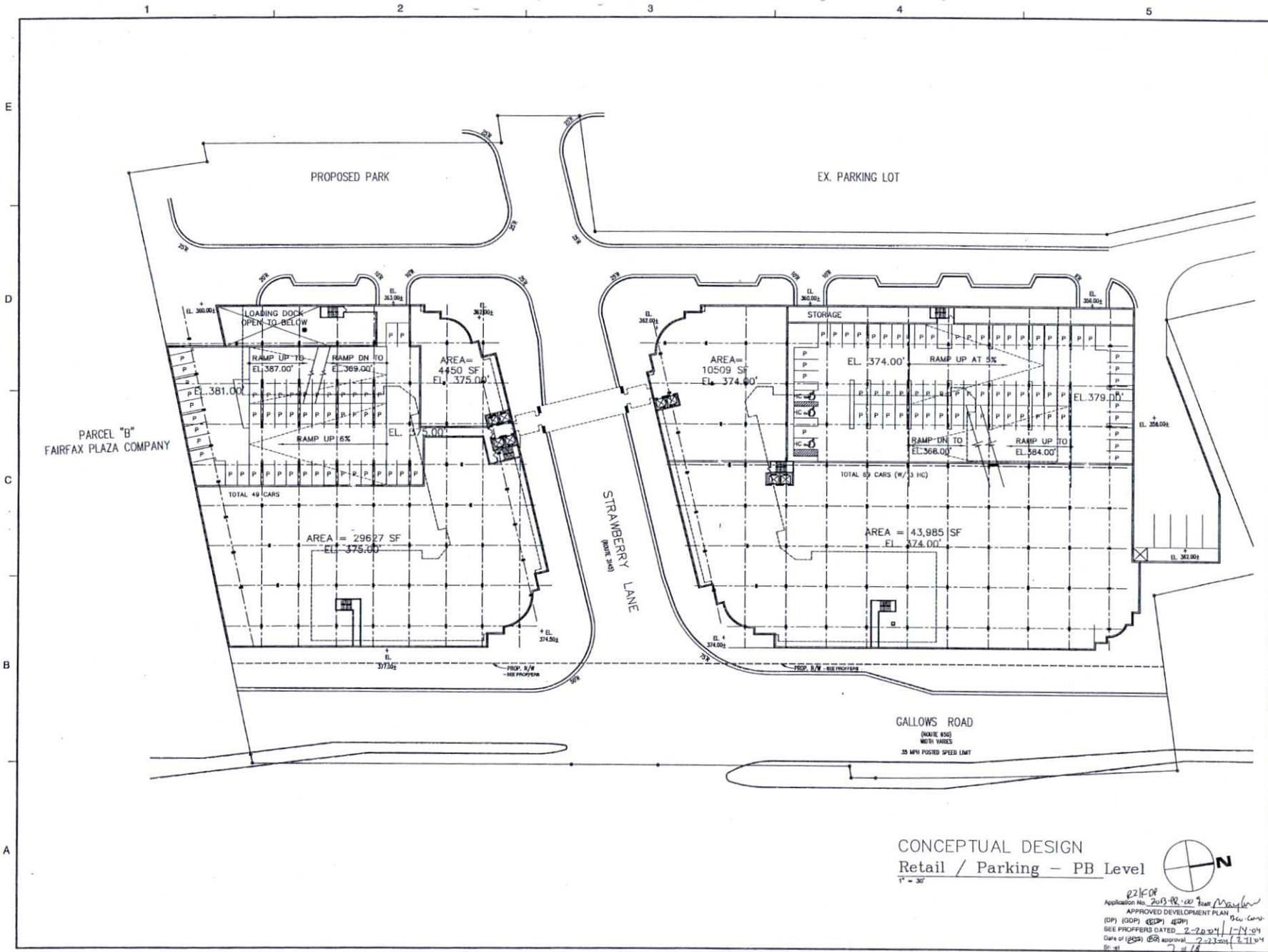
KEY PLAN

SCALE
 AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/22/03	JMC	
1	9/2/03	JMC	

REVISIONS
 DRAWN BY: DCS
 APPROVED BY: PDY
 CHECKED BY: PDY
 DATE: 7/18/03
 TITLE:

Retail / Parking
 PB Level
 374'±
 PROJECT NO. M-10407



Dewberry & Davis L.L.C.
 1001 W. HUNTINGTON BLVD.
 FAIRFAX, VA 22031
 PHONE: 703.868.0100
 FAX: 703.868.0118
 www.dewberry.com

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 1078 International Drive, Suite 600
 McLean, VA 22102 703.860.8078
 800 Phoenix Blvd., Suite 100
 Washington, D.C. 20004 202.692.2200

MERRIFIELD TOWN CENTER
 RETAIL / PARKING -
 PA LEVEL
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE
 AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/27/03	JMC	
1	8/23/03	JMC	

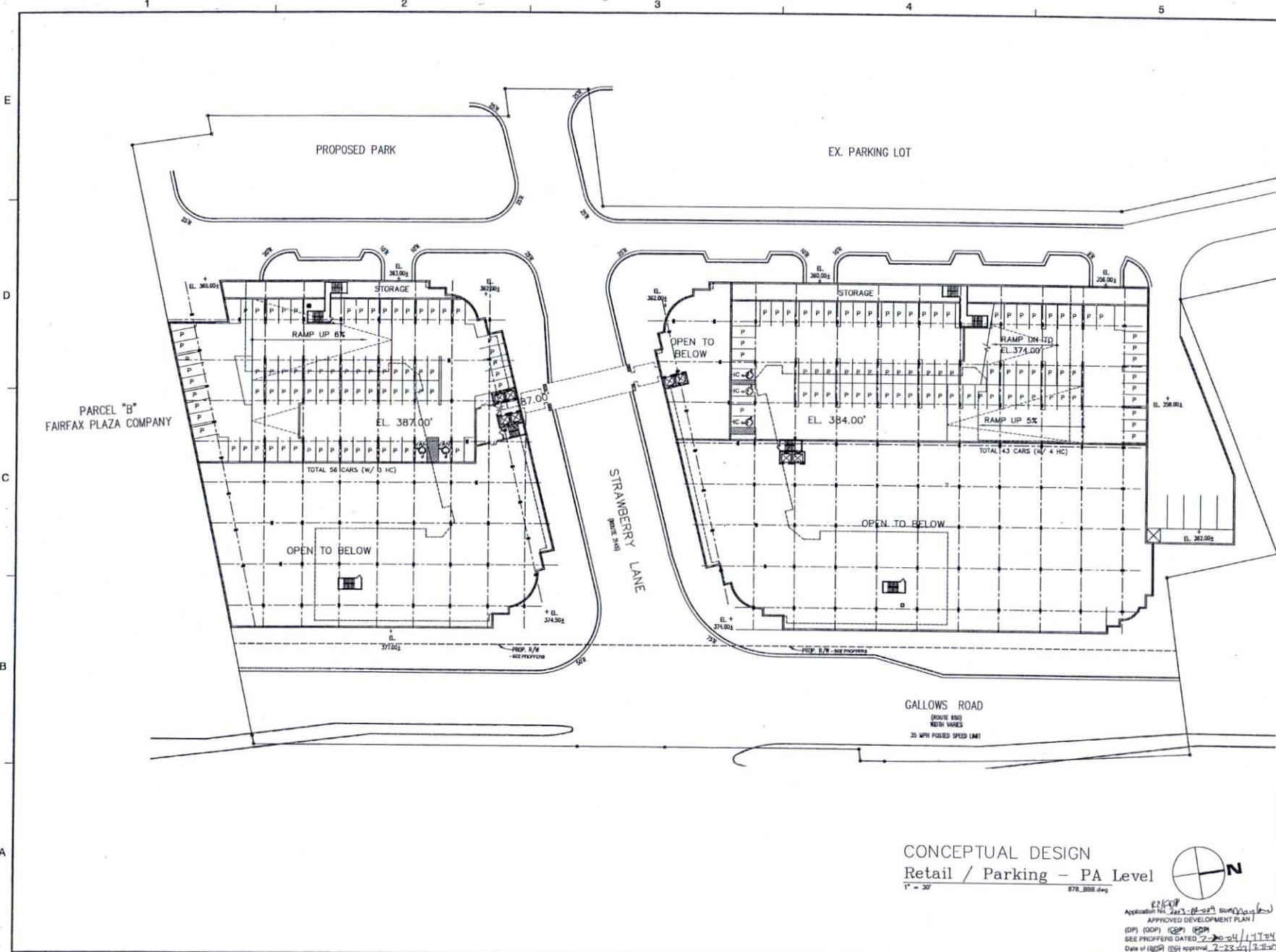
REVISIONS

NO.	DATE	BY	DESCRIPTION

DRAWN BY: DCIS
 APPROVED BY: PGY
 CHECKED BY: PGY
 DATE: 7/18/03

TITLE
**Retail / Parking
 PA Level
 384'±**

PROJECT NO. M-10407

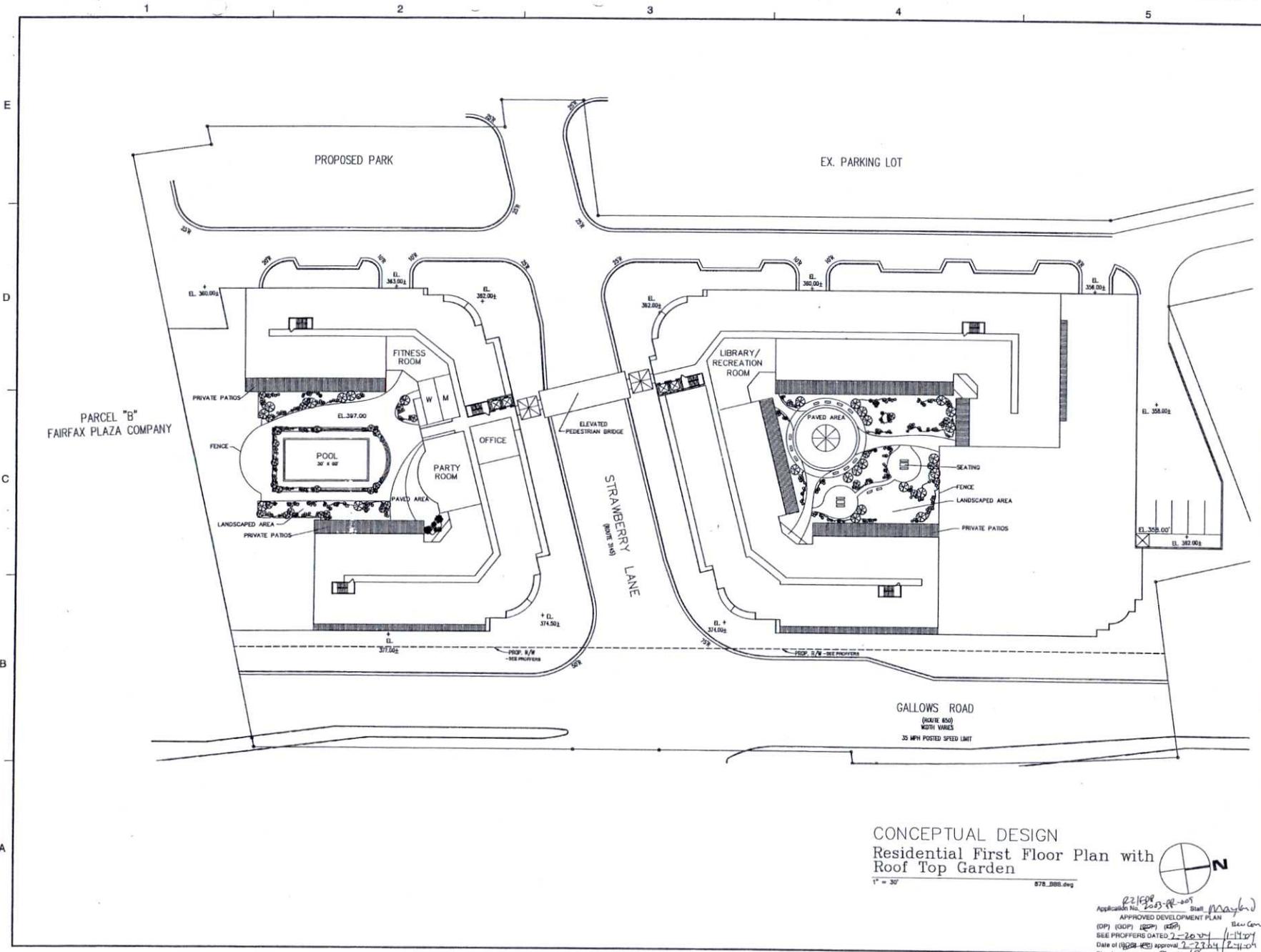


CONCEPTUAL DESIGN
 Retail / Parking - PA Level
 1" = 30' 876_B88.dwg



Application No. 2003-0004 Summary (b)
 APPROVED DEVELOPMENT PLAN 1
 (DP) (GDP) (GDP) (GDP)
 SEE PROFFERS DATED 2-20-04 / 1/17/04
 Date of (GDP) approval 2-23-04 / 2-17-04
 SL:sl

PARCEL "B"
 FAIRFAX PLAZA COMPANY



PARCEL "B"
FAIRFAX PLAZA COMPANY

PROPOSED PARK

EX. PARKING LOT

FITNESS ROOM

POOL
30' x 60'

PARTY ROOM

OFFICE

LIBRARY/
RECREATION ROOM

PAVED AREA

SEATING

LANDSCAPED AREA

PRIVATE PATIOS

STRAWBERRY LANE
(ROUTE 248)

GALLOWS ROAD
(ROUTE 656)
NORTH WALKS
35 MPH POSTED SPEED LIMIT

CONCEPTUAL DESIGN
Residential First Floor Plan with
Roof Top Garden

1" = 30' 578_008.dwg



Application No. 2003-04-005
Stall (May 16)
APPROVED DEVELOPMENT PLAN
(DP) (SDP) (GDP) (HDP)
SEE PROFFERS DATED 2-20-04 1-14-04
Date of (HDP) approval 2-23-04 2-4-04



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1878 International Cir., Suite 500
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Tel: 703.441.1100
Fax: 703.441.1101
www.dewberry.com

MERRIFIELD TOWN CENTER
Residential First Floor Plan
with Roof Top Garden
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

AS NOTED

No.	DATE	BY	Description
5	12/12/03	JMC	
4	11/18/03	JMC	
3	11/14/03	JMC	
2	10/2/03	JMC	
1	9/3/03	JMC	

REVISIONS
DRAWN BY DCS
APPROVED BY PCT
CHECKED BY PCT
DATE 7/18/03

TITLE
Residential First Floor Plan
with
Roof Top Garden

PROJECT NO. M-10407

9

SHEET NO. 9 OF 18

Dewberry & Davis LLC
 800 ANNEHOLLOW BLVD.
 FARMAN, VA 22021
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 FAX: 703.949.0118
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 1878 International Drive, Suite 300
 McLean, VA 22102 703.896.8979

3000 Piedmont Road, S.W., Suite 1100
 Washington, D.C. 20004 202.682.2000

MERRIFIELD
 TOWN CENTER
 BUILDING SECTIONS
 PRINCEDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE
 AS NOTED

No.	DATE	BY	Description
6	12/12/03	JMC	
5	11/19/03	JMC	
4	11/14/03	JMC	
3	10/22/03	JMC	
2	9/23/03	JMC	
1	7/18/03	JMC	

REVISIONS

NO.	DATE	BY	DESCRIPTION

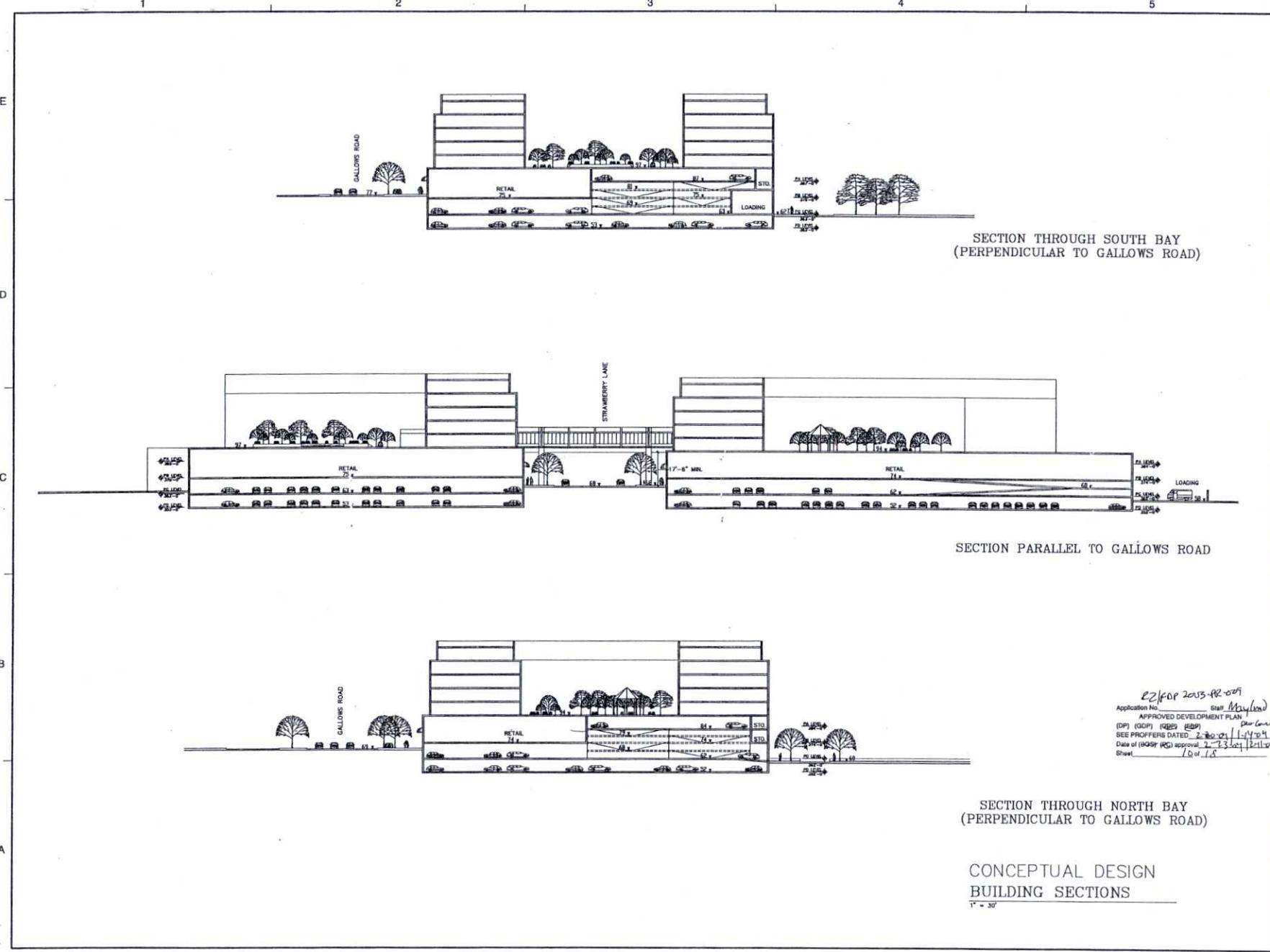
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 APPROVED BY: PCT
 CHECKED BY: PCT
 DATE: 5/29/03

TITLE
BUILDING SECTIONS

PROJECT NO. M-10407

10

SHEET NO. 10 of 18



SECTION THROUGH SOUTH BAY
 (PERPENDICULAR TO GALLOWS ROAD)

SECTION PARALLEL TO GALLOWS ROAD

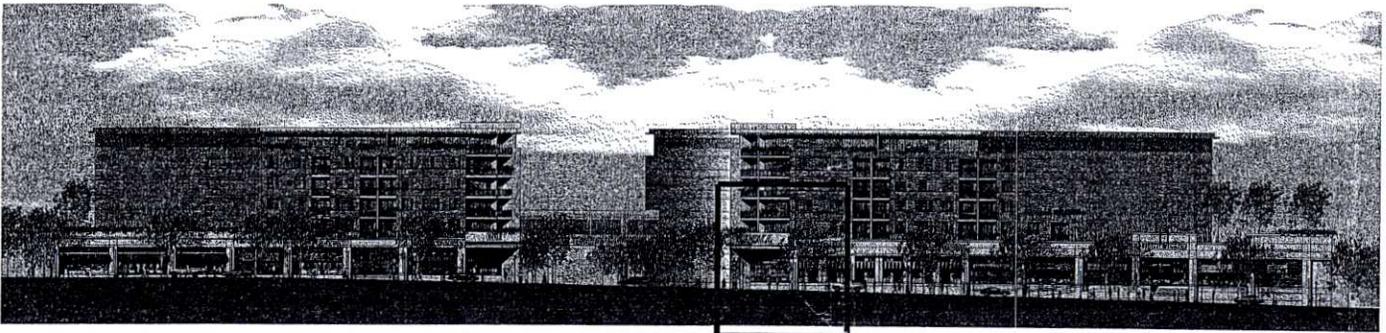
SECTION THROUGH NORTH BAY
 (PERPENDICULAR TO GALLOWS ROAD)

CONCEPTUAL DESIGN
 BUILDING SECTIONS
 1" = 30'

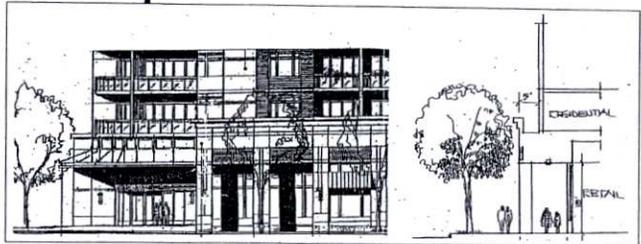
22/08 2003 PR-007
 Application No. *22/08 2003 PR-007* Staff: *May/04*
 APPROVED DEVELOPMENT PLAN
 (PI) (SDP) (RSD) (RSP) *Dear Carol*
 SEE PROFFERS DATED: *2-20-04 / 1-14-04*
 Date of (RSDP) (RSD) approval: *2-23-04 / 2-11-04*
 Sheet: *10 of 18*

1 2 3 4 5

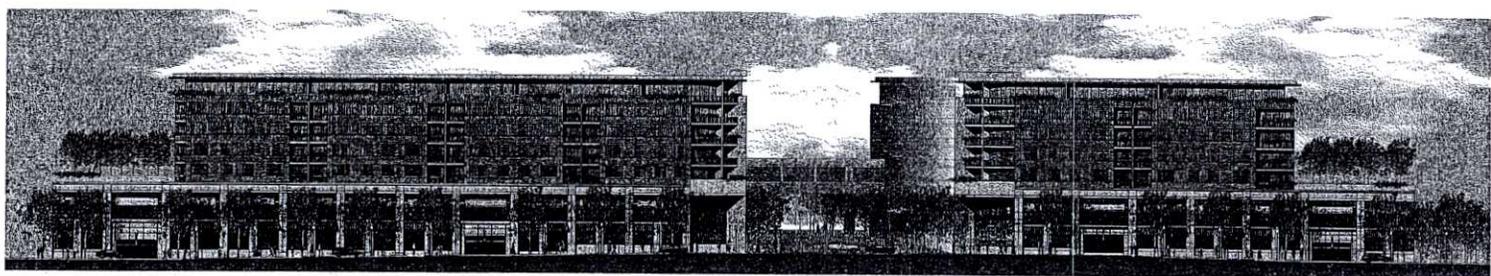
E
D
C
B
A



ELEVATION ON GALLOWS ROAD



LIMITED FRONTAGE ELEVATION REFINEMENT



ELEVATION FROM PARK

22-Feb 2003 R-001
 Application No. Staff May 16-04
 APPROVED DEVELOPMENT PLAN
 (DP) (GOP) (SCEL) (PDR) Dev. Co.-J.
 SEE PROFFERS DATED 2-23-04 / 1-14-04
 Date of (BCC) (PSA) approval 2-23-04 / 2-11-04
 Sheet 1 of 18



Dewberry & Davis LLC
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 FAX: 703.961.0118
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 FALLS CHURCH, VA 22044
 PHONE: 703.261.8278

805 FLEMING SQUARE, SUITE 1100
 FAIRFAX, VA 22031
 PHONE: 703.961.0100

MERRIFIELD
 TOWN CENTER
 BUILDING ELEVATIONS
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

No.	DATE	BY	Description
6	12/12/03	JMC	
5	11/19/03	JMC	
4	11/14/03	JMC	
3	10/2/03	JMC	
2	9/23/03	JMC	
1	7/18/03	JMC	

REVISIONS

DRAWN BY: JMC
 APPROVED BY: PDY
 CHECKED BY: PDY
 DATE: 5/20/03

TITLE: BUILDING ELEVATIONS

PROJECT NO. M-10407

Dewberry & Davis LLC
 801 ARADITION BLVD.
 FARMAC, VA 22031
 PHONE: 703 898 0100
 FAX: 703 898 0118
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 ARCHITECTURE AND INTERIOR DESIGNERS
 3019 Interchange Drive, Suite 800
 McLean, VA 22102 703 895 8079
 420 Prosperity Drive, 11th Floor, 1100
 Washington, D.C. 20004 202 682 2200

MERRIFIELD
 TOWN CENTER
 PARTIAL ELEVATION
 PRINCEDALE DISTRICT
 FARMAC COUNTY, VIRGINIA



KEY PLAN
 SCALE
 NOT TO SCALE

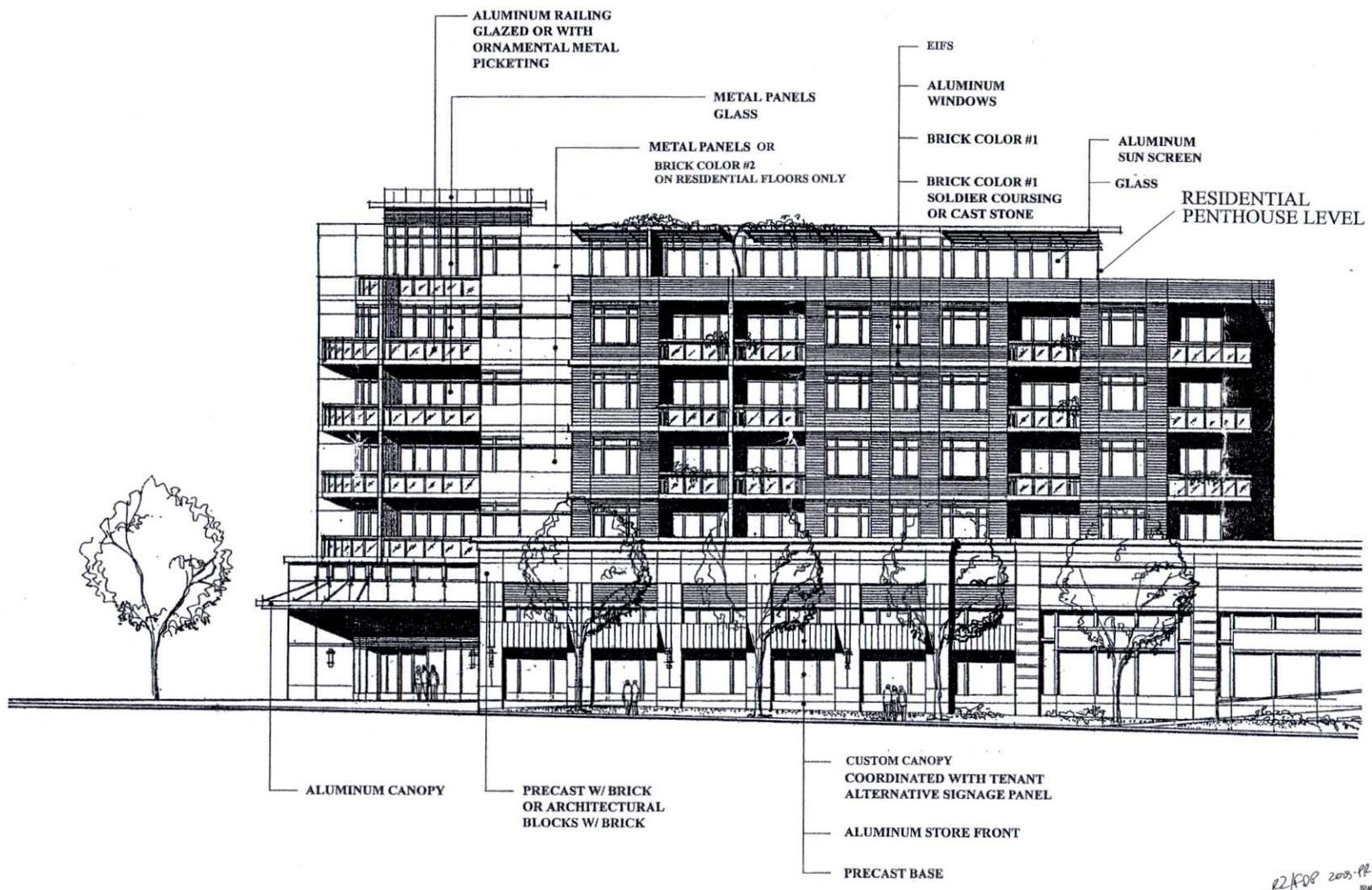
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REVISIONS
 DRAWN BY: JMC
 APPROVED BY: PGY
 CHECKED BY: PGY
 DATE: 5/20/03

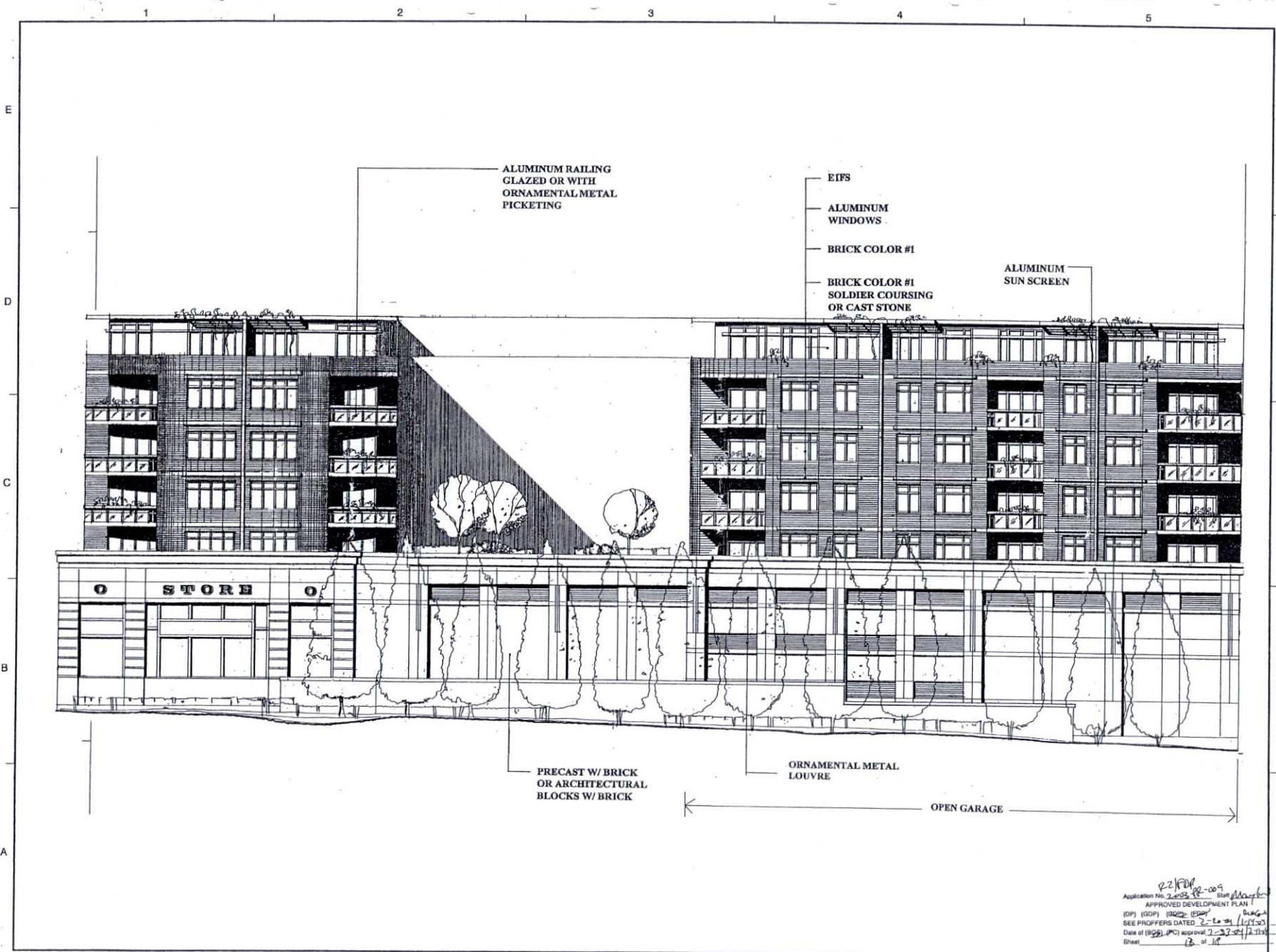
TITLE
PARTIAL ELEVATION

PROJECT NO. M-10407

12
 SHEET NO. 12 OF 18



22K08 2003-08-001
 Application No. *Shelley Mayberry*
 APPROVED DEVELOPMENT PLAN *Shelley Mayberry*
 CPM (COPY) *Shelley Mayberry*
 SEE PROFFERS DATED 2.20.04 11-14-04
 Date of (10/29) IP approval 2-13-04 7-14-04
 Sheet 12 of 18



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 Williams, VA 22187 703.844.8073
 400 Filmore Road, 4th Fl., Suite 1100
 Washington, D.C. 20006 202.682.2200

MERRIFIELD
 TOWN CENTER
 NORTH ELEVATION
 PRODUCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

NOT TO SCALE

No.	DATE	BY	Description
6	12/12/03	JMC	
5	11/18/03	JMC	
4	11/14/03	JMC	
3	10/02/03	DCS	
2	8/3/03	JMC	
1	7/18/03	JMC	

REVISIONS
 DRAWN BY: DCS
 APPROVED BY: PGY
 CHECKED BY: PGY
 DATE: 5/20/03

TITLE
NORTH ELEVATION

PROJECT NO. M-10407

13

Application No. 2-2003-02-009
 APPROVED DEVELOPMENT PLAN
 (DP) (DDP) (RDP) (ESDP)
 SEE PROFFERS DATED 2-20-03
 Date of (DDP) (PC) approval 2-27-03
 Sheet 13 of 18

Dewberry & Davis LLC
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 Williamsburg, VA 23185 TEL: 753-8876
 800 596 Street View, Suite 1002
 Washington, D.C. 20007 800.282.2500

MERRIFIELD TOWN CENTER
 PARK PLAN AND
 STREETSCAPE DETAILS
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

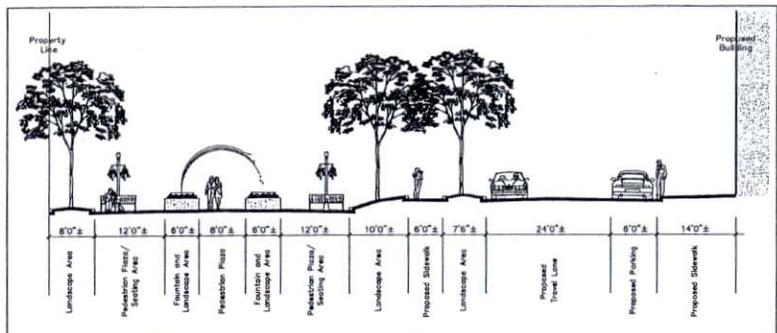
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2	10/09/03	JMC	
1	09/03/03	goh	

REVISIONS
 DRAWN BY JMC
 APPROVED BY PDY
 CHECKED BY PDY
 DATE 7/18/03

TITLE
Merrifield Town Center

Park Plan and
 Streetscape Details

PROJECT NO. M-10407



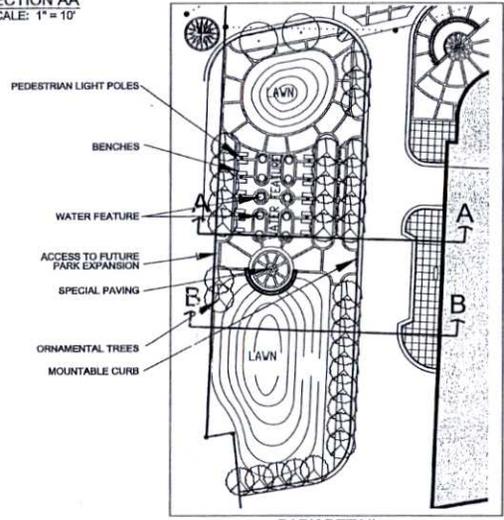
SECTION AA
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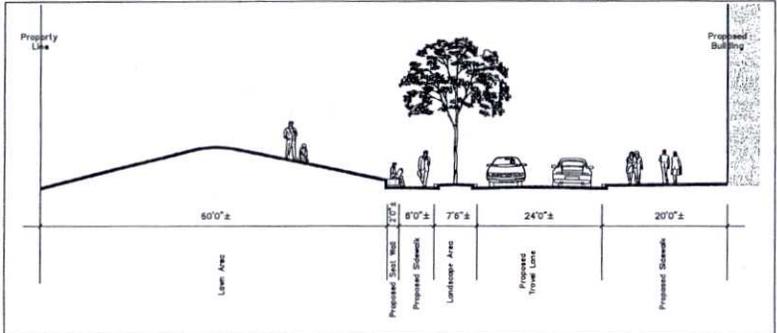
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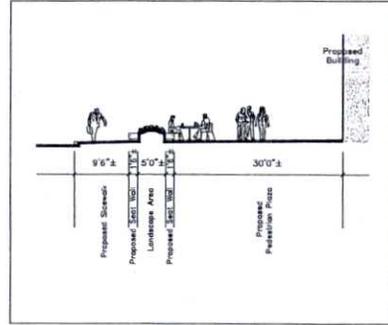
PEDESTRIAN LIGHT POLE



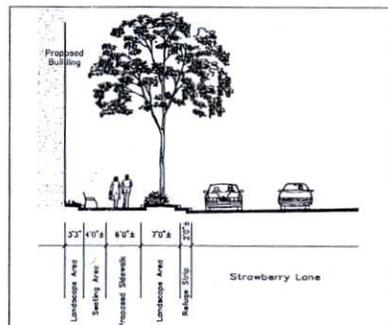
PARK DETAIL
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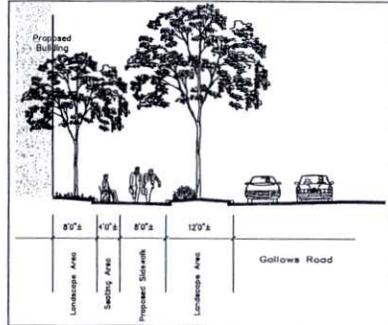
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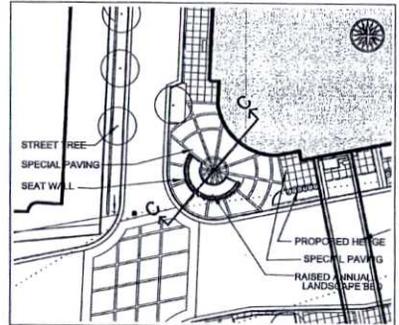
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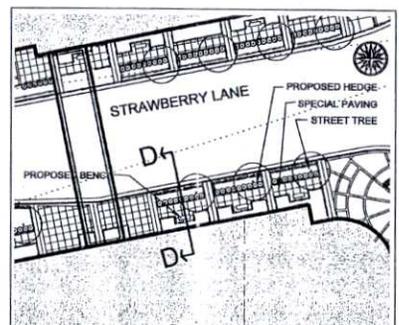
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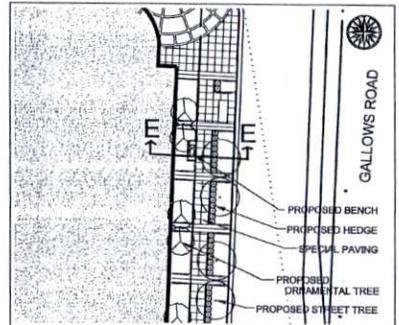
SECTION EE
 SCALE: 1" = 10'



DETAIL
 SCALE: 1" = 30'

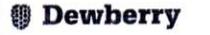
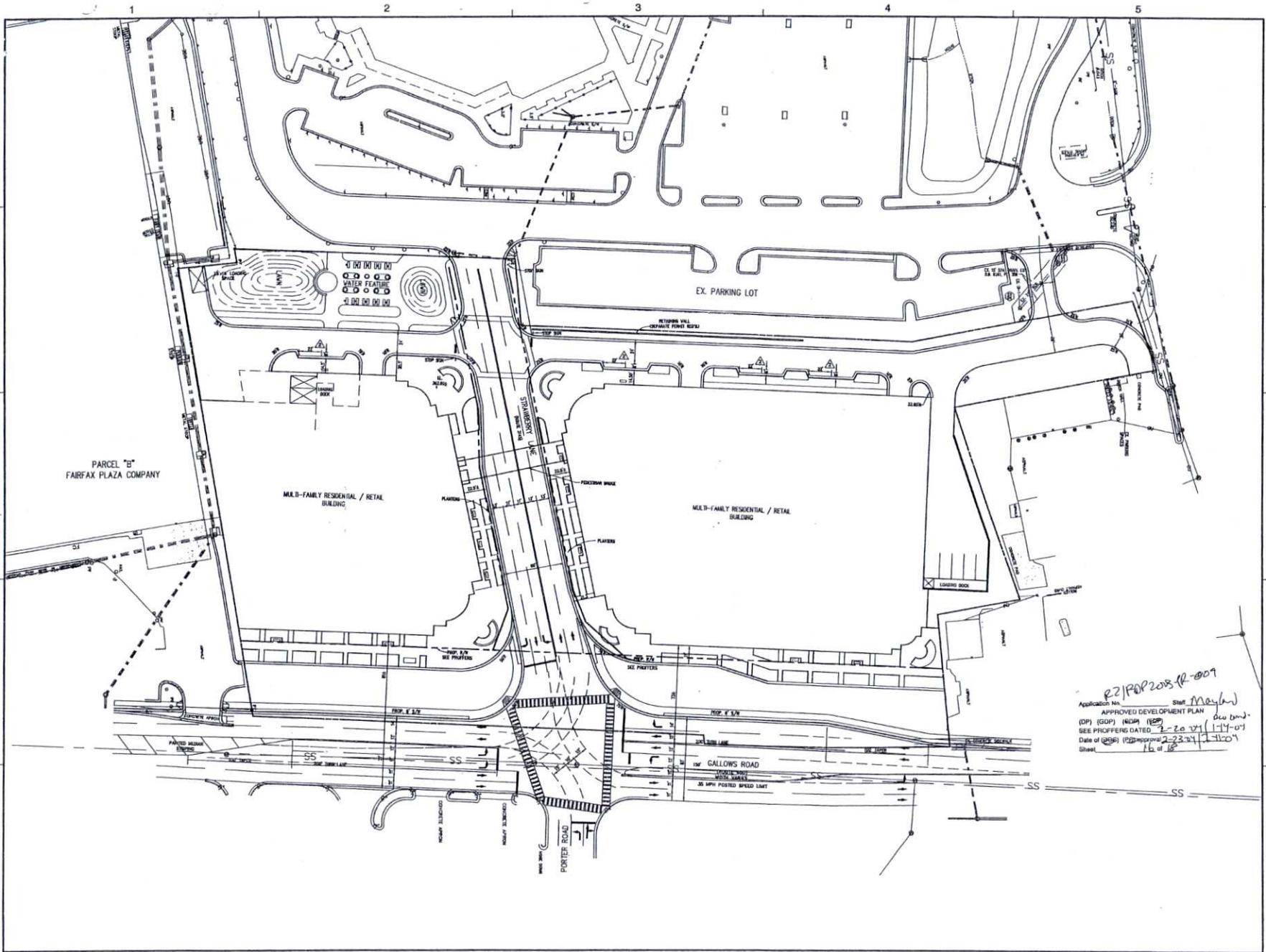


DETAIL
 SCALE: 1" = 30'



DETAIL
 SCALE: 1" = 30'

Application No. 2003-08-005 Sheet 14 of 18
 APPROVED DEVELOPMENT PLAN
 (DP) (DD) (SS) (SP)
 SEE PROFFENS DATED 2-20-04 1-1-07
 Date of (DCPP) (P&S) approval 2-23-04 2-11-07
 Sheet 14 of 18



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 1878 International Drive, Suite 500
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 Phone: 703 445 0100
 Fax: 703 445 0101
 www.dewberry.com

**MERRIFIELD TOWN CENTER
 INTERIM ROADWAY IMPROVEMENTS**
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



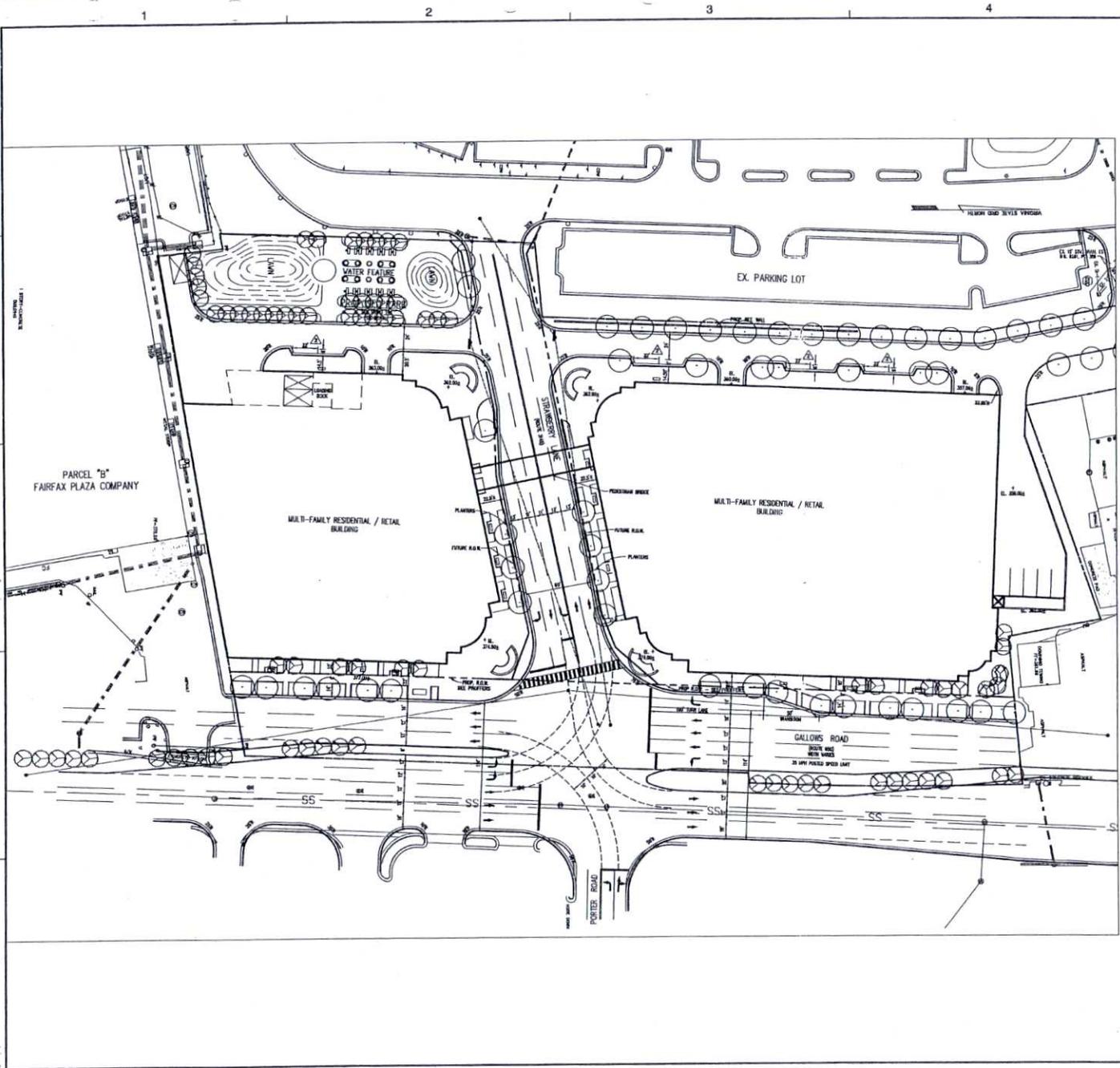
KEY PLAN

SCALE
SCALE 1"=40'

NO.	DATE	BY	DESCRIPTION
4	12/12/03	JAC	
3	11/18/03	JAC	
2	11/14/03	JAC	
1	8/3/03	JAC	

R21P02018-R-001
 Application No. _____
 Approved Development Plan
 (DP) (DUP) (NDP) (RP) _____
 Date of (DUP) (RP) Approval _____
 Sheet _____ of _____

REVISIONS
 DRAWN BY: H.D.
 APPROVED BY: P.C.C.
 CHECKED BY: _____
 DATE: JULY 18, 2003
 TITLE:
PROPOSED INTERIM DEVELOPMENT PLAN
 PROJECT NO.: M-10407



WELLS & ASSOCIATES, LLC
 14055 Antoin Parkway
 Fairfax, VA 22031

November 12, 2003
 Mr. Kevin Nelson
 Virginia Department of Transportation
 Land Development Branch
 14055 Antoin Parkway
 Chantilly, Virginia 22101

RE: RZ 2003-PR-009, FDP 2003-PR-009; Unvest/Merifield Town Center
 Land Identification: 49-4 (1) 4, 6, 9, 8A, 10, 11, 11A

Dear Mr. Nelson:
 The purpose of this letter is to follow-up recent discussions among County staff, the applicant, and VDOT regarding specific road improvements proposed in conjunction with the pending Merifield Town Center Project. Each of the issues identified by the County in a draft memo dated October 30, 2003 was discussed at the meeting held on November 4, 2003 and the agreed-to resolution is outlined below. Your concurrence on each of the following items would be appreciated:

Issue 1: Strawberry Lane - The outer lanes on Strawberry Lane should be 14 feet in width to the face of curb. The use of 11-foot wide inner lanes on Strawberry Lane would require VDOT approval.

Resolution: VDOT has reviewed the plans and typical section for Strawberry Lane and is satisfied with the 60 foot curb-to-curb width imposed by the applicant's engineer, as evidenced by your letter to Baltimore (upon dated October 28, 2003) (a substandard lane of 11 feet, 11 feet plus a RTL, 13 feet to face of curb and 2 substandard lanes of left lane 12 feet, outside lane 13 feet to face of curb). The VDOT Road Design Manual permits the use of 11-foot lanes on urban collector streets.

VDOT Concurrence: *Kevin Nelson*
 Date: 11/11/2003

100 Spring Hill Road, Suite 400 • Fairfax, Virginia 22031 • Tel: 703/737-8800 • Fax: 703/737-0358

Issue 2: Gallows Road - The provision of interior 11-ft. wide lane(s) on Gallows Road would have to be approved by VDOT.

Resolution: Existing on-street lanes on Gallows Road are being maintained at their current width of 11 feet. Southbound improvements to Gallows Road are being considered to provide for interior lane widths of 12 feet, as reflected on sheet 18 of the plans prepared by Dewberry dated January 14, 2003 as revised through October 2, 2003. VDOT recognizes the "interim" nature of the improvements proposed and recommends approval of the interim cross section proposed by the applicant's engineer.

VDOT Concurrence: *Kevin Nelson*
 Date: 11/11/2003

Issue 3: Applicant should dedicate additional right-of-way necessary for the ultimate southbound right-turn lane along the site @ Gallows Road. Note: The VDOT plan for improvements to Gallows Road did not examine the need for right-turn lanes along undeveloped properties.

Resolution: The applicant has proposed and committed to provide right-of-way dedication along the site @ Gallows Road consistent with the VDOT concept plans for the Gallows Road corridor. The applicant has further provided an interim and ultimate concept plan for the provision of a right-turn lane on southbound Gallows Road at Strawberry Lane. Under interim conditions, defined as prior to completion or initiation of the VDOT improvements, a right turn lane 200 feet in length with a 100-foot taper would be constructed on Gallows Road at relocated Strawberry Lane.

Under ultimate conditions, a right-turn lane 100 feet in length with a 50-foot taper would be provided on Gallows Road at Strawberry Lane. This right-turn lane configuration has been determined by VDOT as sufficient to provide turn relief for southbound Gallows Road traffic, as well as preserve the integrity of the streetscape concept for the Merifield Town Center.

VDOT Concurrence: *Kevin Nelson*
 Date: 11/11/2003

Copies of this letter will be forwarded to Fairfax County and provided to your office. The proffers associated with the application, or as appropriate the FDP, will be amended to reflect the items listed above.

Sincerely,
Robbie L. Antonucci
 Robbie L. Antonucci
 Principal Associate
 cc: Michael Collier, Unvest
 Philip Yates, Dewberry
 Christopher Champagne, P.E., Dewberry
 William B. Lawson, Jr., Lawson & Frank, P.C.
 William Mayland, Fairfax County Planning & Zoning
 Angela K. Rouseleaver, Fairfax County Department of Transportation

Application No. 2003-PR-009
 APPROVED DEVELOPMENT PLAN
 (DPI) (GDP) (BBP) (GDP)
 SEE PROFFERS DATED 2-16-04
 Date of (BBP) (GDP) Approval: 2-23-04
 Sheet 10 of 18



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 14055 Antoin Parkway
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 Fax: 703.737.0358
 www.dewberry.com

DAVIS • CARTER • SCOTT
 PROFESSIONAL ENGINEERS

1070 International Center, Suite 600
 Fairfax, VA 22031-2805
 400 Riverside Drive, N.W., Suite 100
 Washington, D.C. 20005-2020-2000

MERIFIELD TOWN CENTER
 ULTIMATE ROADWAY IMPROVEMENTS
 PHOENIX DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

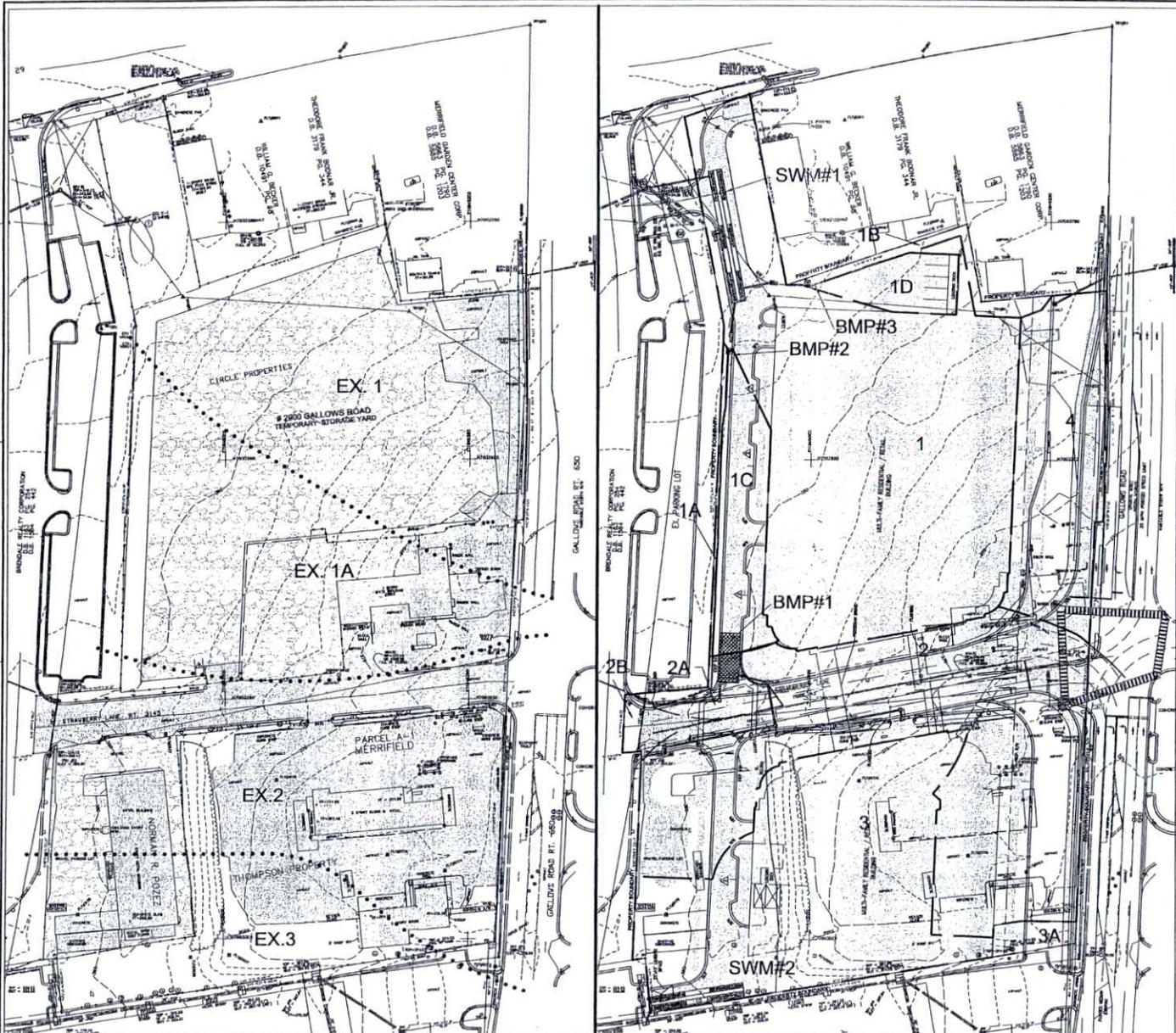
SCALE
 SCALE 1"=40'

NO.	DATE	BY	REVISIONS
4	12/12/03	JMC	
3	11/19/03	JMC	
2	11/14/03	JMC	
1	9/5/03	JMC	

DRAWN BY: H.D.
 APPROVED BY: P.C.C.
 CHECKED BY: P.C.C.
 DATE: JULY 18, 2003
 TITLE:

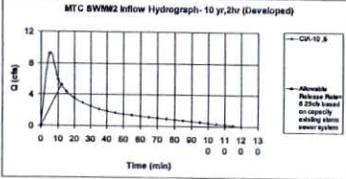
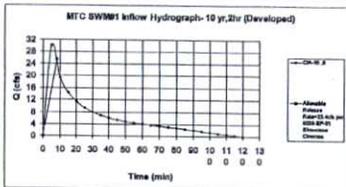
ULTIMATE DEVELOPMENT PLAN
 W/ DEDICATED RIGHT TURN LANE

PROJECT NO. M-10407



EXISTING MTC- LAND USE/DRAINAGE DIVIDES
A=7.48 AC C=0.744

PROPOSED MTC- LAND USE/DRAINAGE DIVIDES
A=7.48 AC C=0.78



BMP COMPUTATIONS
Part 3: Compute the total Phosphorus Removal for the Site

Storm Description ID	MP (PP)	Area (Ac)	Factor (C)	Product (lb)
2 SAND FILTER	80	2.0(7.52-0.27)	0.78(0.78)=	18.2
1C FILTER	70	0.32(7.52-0.27)	0.78(0.78)=	2.8
1D FILTER	70	0.18(7.52-0.27)	0.78(0.78)=	1.4
(a) Total =				22.4*

*PER RZ/TOP 2003-11-03R PROPOSED CONDITIONS, SECT. IV PROFFER #1 20% PHOSPHORUS REMOVAL IS REQUIRED.

- PERVIOUS
- IMPERVIOUS
- GRAVEL

Application No. 2003 RP-029
 APPROVED DEVELOPMENT PLAN
 (DP) (OP) (PP) (PEP)
 SEE PROFFERS DATED 2-20-04 1-17-04
 Date of (10/27/03) approval 7-13-04 12-1-04
 Sheet 18 of 18



Dewberry & Davis LLC
 1800 Commonwealth Circle, Suite 800
 McLean, VA 22102-4342
 703.441.8800
 www.dewberry.com

MERRIFIELD TOWN CENTER
 CONCEPTUAL/FINAL DEVELOPMENT PLAN
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



SCALE 1"=50'

NO.	DATE	BY	REVISIONS
4	12/12/03	JAC	
3	11/19/03	JAC	
2	11/14/03	JAC	
1	8/2/03	JAC	

DRAWN BY: LNR
 APPROVED BY: PCC
 CHECKED BY: PCC
 DATE: JULY 18, 2003
 TITLE: Merrifield Town Center SWM Exhibit & Drainage Divides
 PROJECT NO. M-10407

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

DESCRIPTION OF THE APPLICATION

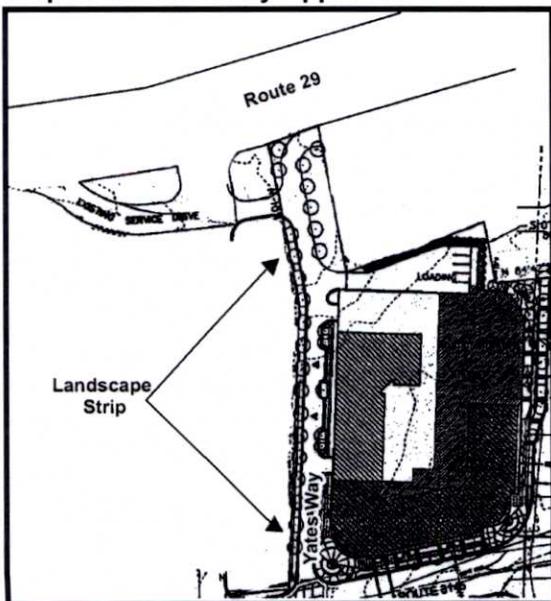
Proposal:

The applicant, MTC Commercial, LLC, seeks to amend the previously approved proffers and the conceptual and final development plans (CDP/FDP) associated with RZ/FDP 2003-PR-009 for mixed use development (known as Uniwest Residential Mixed Use Development). The applicant proposes to:

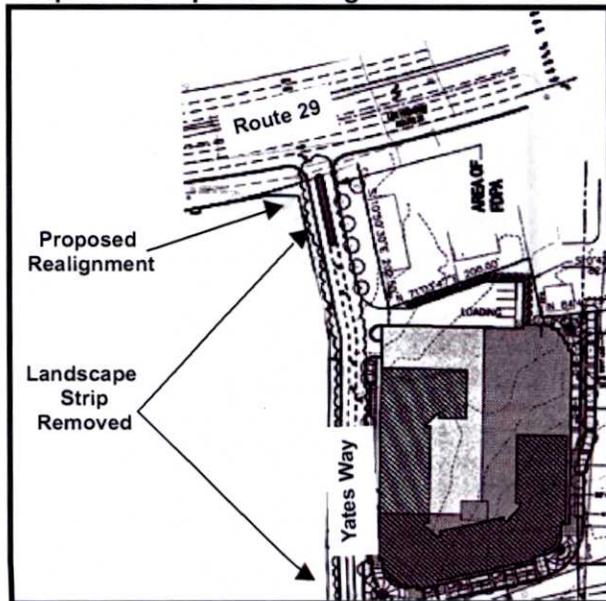
- 1) Modify the previously approved CDP/FDP and Proffer IV. 10. to allow direct access to the subject property from Route 29 (Lee Highway) through a private North/South Access Road (known as Yates Way) that generally runs along the western boundary line,
- 2) Modify the previously approved CDP/FDP to remove a landscaped strip shown along the west side of Yates Way to allow shared inter-parcel access between the Uniwest Development and the Merrifield Town Center property to the west, and
- 3) Reaffirm all other previously approved proffers associated with the Uniwest Development.

Graphic 1 compares the approved CDP/FDP for Uniwest with the proposed changes in Graphic 2.

Graphic 1: Previously Approved GDP



Graphic 2: Proposed Change



As shown on Graphic 1, Yates Way curved eastward to facilitate inter-parcel access to the east. An inter-parcel access easement was created to the west to get access from Route 29, which was defined in the previously approved proffers (Parcel IV. 10.). Landscaping was also provided along the west side of Yates Way, which blocked vehicular access to the west.

On October 15, 2007, the Board of Supervisors approved RZ 2005-PR-041 for several adjacent properties to the west (know as the Merrifield Town Center) with proffers that encouraged a potential direct access from Route 29 to Yates Way, subject to the following conditions in Proffer VI. 11. of that application:

- 1) VDOT approval of an access management exception
- 2) Offsite easements from Uniwest Development
- 3) Approval of a Proffered Condition Amendment

MTC Commercial LLC has negotiated with Merrifield Town Center to achieve the first two conditions. This application seeks to implement the third condition by removing the landscaped strip and realigning Yates Way to connect directly to Route 29 as shown in Graphic 2. No change is proposed to the approved FAR, gross floor area, number of units, uses, parking or buildings for the Uniwest Mixed Use Development or the Merrifield Town Center Development. The overall FAR for the Uniwest Mixed Use Development would remain 1.35, including affordable dwelling units and bonus density.

Copies of the proffers, affidavit, and statement of justification for these applications are contained in Appendices 1, 2 and 3 respectively.

Waivers & Modifications:

- Reaffirm a modification of the loading space requirement to permit three spaces instead of five spaces in the southern building.

LOCATION AND CHARACTER

Site Description:

The subject property is located on Tax Map 049-4 ((17)) 2 pt. on the south side of Lee Highway (Route 29), approximately 400 feet west of Gallows Road. The site is currently developed with two multi-use buildings with 433,018 gross square feet, of which, 105,500 square feet is developed as retail and 327,518 is developed as residential (256 units). The site is primarily accessed from Gallows Road through Strawberry Lane. The following table provides a description of surrounding area.

Surrounding Area Description

Direction	Use	Zoning	Plan
North	Mobil, Mattress Discounters, Just Tires, Merrifield Gardens	I-5	Merrifield Town Center – Mixed Use
South	Fairfax Plaza, Former Levitts Furniture Store, KFC	I-5	Merrifield Town Center – Mixed Use
East	Merrifield Plaza Commercial Properties	C-6, C-3	Retail and Other Office, Retail and Other
West	Merrifield Town Center	PRM, PDC	Merrifield Town Center – Mixed Use

BACKGROUND

- On December 23, 2004, the Board of Supervisors approved RZ/FDP 2003-PR-009 to rezone 7.48 acres from the I-5 and HC Districts to the PRM and HC Districts to permit retail and residential uses. The retail uses consist of 105,500 square feet (24%) and the residential uses consist of 327,518 square feet (76%) or 265 dwelling units, including nine affordable dwelling units (35.4 dwelling units per acre); for a total of 433,018 gross square feet, with an overall 1.33 FAR and 23% open space. ***The applicant seeks to modify the approved CDP/FDP; Proffer IV 10; and reaffirm all other previously approved proffers. These modifications would allow the removal of a previously approved landscaped strip that blocked inter-parcel vehicular access to the west and the realignment of Yates Way to connect directly to Route 29. When this rezoning was approved, VDOT wouldn't allow direct access to Route 29 from Yates Way. The applicant has now received approval of a VDOT access management exception that would allow direct access to Route 29. Copies of the original staff report which highlight this issue are on file with the Zoning Evaluation Division. Copies of the proffers are included in Appendix 4.***
- On October 15, 2007, the Board of Supervisors approved RZ 2005-PR-041 on an adjacent property to the west to rezone 7.23 acres from the I-4 District to the Planned Residential Mixed-Use (PRM) District, and 24.14 acres from I-4 and I-5 Districts to the Planned Development Commercial (PDC) District to permit a mixed use development consisting of a minimum of 500 residential units; 120,000 sq/ft theater; a minimum of 370,000 sq/ft of retail space; and optional office and hotel uses, with an overall maximum of 1,639,692 square feet, equating to an FAR of 1.20 (1.39 including the ADU and Workforce bonus density). ***Proffers VII. 9. and VI. 11. from this application facilitate the implementation of the current proposal to realign Yates Way and to remove landscaping that blocks inter-parcel access. Copies of relevant proffers are included in Appendix 5.***

COMPREHENSIVE PLAN PROVISIONS (See Appendix 6)

Plan Area:	Area I
Planning District:	Merrifield Suburban Center Land Unit F, Sub-Unit F-1
Plan Map:	Mixed Use
Plan Text:	

The Plan text is attached in Appendix 6.

ANALYSIS**Conceptual Development Plan Amendment/ Final Development Plan Amendment**
(CDPA/ FDPA) (Copy at front of staff report)

Title of GDP/ SE Plat:	"Merrifield Town Center CDPA/FDPA 2003-PR-009"
Prepared By:	VIKA, INC
Date:	August 26, 2010

Description of the plan:

The proposed CDPA/ FDPA consists of two proposed sheets attached to the previously approved CDP/FDP consisting of 18 sheets.

Sheet 1 consists of the notes, tabulations and shows the proposed Yates Way road realignment and the proposed removal of landscaping that blocked inter-parcel access to the west. Note 12 indicates that the road realignment would occur in one phase. The tabulations indicate that the previously approved open space of 23% for the Uniwest mixed use development would slightly decrease to 21.1% of the entire site as a result of the proposed removal of the landscaped strip. Shared inter-parcel access points to loading spaces serving the Uniwest and Merrifield Town Center sites would be provided from Yates Way. An existing 24 foot wide public access easement along Yates Way is proposed to remain.

Sheet 2 shows a context graphic which highlights how the proposed Yates Way road realignment would function between the Uniwest and Merrifield Town Center sites. According to the statement of justification in Appendix 3, Yates Way was originally proposed to initiate a street grid system for the Core Area of the Merrifield Town Center and to provide vehicular access to the Uniwest buildings, parking and service vehicles and the future buildings associated with the Merrifield Town Center.

Comparison with Currently Approved CDP and Proffers

No change is proposed to the approved FAR, gross floor area, number of units, uses, parking or buildings for the Uniwest mixed use development. The overall FAR would remain 1.35, including affordable dwelling units and bonus density. The proposal merely seeks to modify Proffer IV. 10. to allow for direct access to Route 29 from Yates Way, to remove a landscaped strip that blocks inter-parcel access to the west and to reaffirm all other previously approved proffers associated with the Uniwest mixed use development (RZ/FDP 2003-PR-009).

Conformance with the Comprehensive Plan

In the original rezoning application, the applicant proposed a mixed-use development in accordance with Option 2 of the Comprehensive Plan that permitted a mixed-use development, including residential, up to 1.2 FAR and subject several guidelines, and addressed all Plan recommendations. Staff believes that the proposal is minor in nature and continues to be in conformance with all aspects of the Comprehensive Plan.

Residential Development Criteria

Staff believes that the proposed changes continue to be in general conformance with the residential development criteria. No changes are proposed to the previously approved total square footage or mix of uses in the development program. The residential development criteria analysis was provided in the original Staff Report for RZ/FDP 2003-PR-009 published on January 2, 2004 and the analysis is not impacted by the proposed changes. Copies of the staff report are available in the Zoning Evaluation Division.

Land Use/Environmental Analysis

No issues were identified

Transportation Analysis (Appendix 7)

The Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) reviewed the application and indicated that no significant transportation issues are associated with the applications.

Public Facilities Analysis

- 1) Fairfax County Park Authority,
- 2) Fairfax County Water Authority
- 3) Fairfax County Sanitary Sewer Analysis
- 4) Fairfax County Fire and Rescue Analysis
- 5) Stormwater Analyses (Department of Public Works and Environmental Services)

Due to the nature of this application, review by the agencies listed above raised no issues.

ZONING ORDINANCE PROVISIONS (Appendix 8)

As noted earlier in this report, the proposed road realignment implements proffers associated with the neighboring Merrifield Town Center rezoning application and continues to meet the provisions of the PRM District for the Uniwest development. The proposal to amend the proffers and the CDP/FDP previously approved for the Uniwest residential mixed use development to allow direct access from Yates Way to Route 29 and to remove a landscaped strip that blocks inter-parcel access does not adversely impact the previously approved CDP/FDP and continues to meet the use limitations, lot size requirements, bulk regulations, open space, general standards and the standards for design in the PRM District.

Waiver and Modifications

In conjunction with the approval of the original rezoning (RZ/FDP 2003-PR-009), the Board of Supervisors approved a modification of the loading space requirement to permit three spaces instead of five spaces in the southern building. The applicant has requested reaffirmation of the modification. Staff feels that their proposal to connect Yates Way to Route 29 does not impact the previous analysis of the modification.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusion

The applications seek to amend the previously approved proffers and the conceptual and final development plans (CDP/FDP) associated with RZ/FDP 2003-PR-009 for mixed use development. The applicant proposes to modify the previously approved CDP/FDP, Proffer IV 10 and reaffirm all other previously approved proffers. These modifications would allow the removal of a previously approved landscaped strip that blocked inter-parcel vehicular access to the west and a realignment of Yates Way to connect directly to Route 29. Staff believes that the proposal does not adversely impact the previously approved CDP/FDP and is in conformance with the Comprehensive Plan, and with all applicable Zoning Ordinance provisions as proffered and conditioned.

Staff Recommendations

Staff recommends approval of PCA 2003-PR-009 subject to proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDPA 2003-PR-009.

Staff recommends approval of a reaffirmation of the previously approved modification of the loading space requirement to permit three spaces instead of five spaces in the southern building.

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

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

APPENDICES

1. Proffers for PCA 2003-PR-009
2. Affidavit for PCA/FDPA 2003-PR-009
3. Statement of Justification
4. Previously approved Proffers and CDP/FDP for RZ 2003-PR-009
5. An excerpt of the previously approved Proffers for RZ 2005-PR-041
6. Comprehensive Plan Text
7. FCDOT and VDOT Transportation Analysis
8. Zoning Ordinance Provisions
9. Glossary

**PROFFERED CONDITIONS
("PROFFERS")**

**MTC Commercial LLC
PCA 2003-PR-009**

August 26, 2010

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, MTC Commercial LLC, and the owners, for themselves, their successors and assigns (hereinafter referred to as the "Applicant", for PCA 2003-PR-009 and FDPA 2003-PR-009 filed for a property identified as 49-4 ((17)) (2) C1 agree to the following proffered conditions, provided the Fairfax County Board of Supervisors (hereinafter referred to as the "Board" approves the PCA.

The Proffered Conditions ("Proffers") are:

We hereby reaffirm all Proffers of the RZ 2003-PR-009 dated February 20, 2004 except the following two (2) proffers which will be modified for this PCA as follows:

I. (1.) Substantial Conformance. Subject to the Proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) containing eighteen (18) sheets prepared by dewberry & Davis LLC, dated January 14, 2003 and revised through December 12, 2003 except as specifically amended by the addition of two (2) sheets titled CDPA/FDPA as prepared by VIKa, Inc. dated March 30, 2010 and revised through August 26, 2010 to clarify area and extent of CDPA/FDPA. Regardless of the notes on the Development Plan, the maximum number of residential units shall be 270 and the maximum FAR for the site shall be 1.35.

V. (10.) Interparcel Access. Interparcel access shall be provided to Tax Maps 49-4 ((1)) 5, 6, 7 and 7A to the North. If approved by VDOT and Fairfax County DPWES, a connection to Route 29 can be constructed as shown on the CDPA/FDPA. Interparcel access to the side street shown on the Development Plan will be provided to Tax Map 49-3 ((1)) 80A to the west. The applicant reserves the right to provide multiple connections to Tax Map 49-3 ((1)) 80A to the west, including but not limited to garage entrances, loading entrances, additional travel lanes as generally shown on the CDPA/FDPA. The Applicant shall provide public access easements in a form

approved by the County Attorney to permit the Interparcel access on the side street and service drive. Temporary Construction easements shall be granted to facilitate Interparcel access.

In addition to Interparcel access, the proposed entrance to the loading area on the north side of the proposed north building will be so designed that it can provide access to a loading area for a proposed consolidated development program on adjacent Lots 5, 6, 7, 7A.

Signature Pages to follow

REZONING AFFIDAVIT

DATE: August 24, 2010
 (enter date affidavit is notarized)

I, Steven F. Teets, 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 **108692c**

in Application No.(s): PCA/FDPA 2003-PR-009
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
MTC Commercial, LLC Michael D. Collier Norman R. Pozez	8191 Strawberry Ln, Ste 3, Falls Church, VA 22042	Applicant/Title Owner Agent Agent
Board of Directors of the MTC Association acting as attorney in fact for and on behalf of all unit owners of the MTC Association ("Unit Owners") pursuant to Va. Code Ann. § 55-79-80. Michael D. Collier Richard Melrod Dennis M. McDonald	8191 Strawberry Ln, Ste 3, Falls Church, VA 22042	Director/Agent Director/Agent Director/Agent
Uniwest Development, LLC Michael D. Collier Norman R. Pozez	8191 Strawberry Ln, Ste 3, Falls Church, VA 22042	Manager/Agent Agent Agent

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

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

Rezoning Attachment to Par. 1(a)

DATE: August 24, 2010
(enter date affidavit is notarized)

108692 c

for Application No. (s): PCA/FDPA 2003-PR-009
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Steven F. Teets	1830 Harmon Street Gilbert, SC 29054	Authorized Agent

(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: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(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)

MTC Commercial, LLC
8191 Strawberry Lane, Suite 3
Falls Church, VA 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)

Michael D. Collier
Norman R. Pozez
ASEPOZ, LLC

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

Uniwest Development, LLC (Manager)

(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: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(enter County-assigned application number (s))

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

MTC Association
8191 Strawberry Lane, Suite 3
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 THE SHAREHOLDER: (enter first name, middle initial, and last name)

MTC Association is the name of the unit owners association. There are no shareholders.

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

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

Michael D. Collier, Director
Richard Melrod, Director
Dennis M. McDonald, Director

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

Uniwest Development, LLC
8191 Strawberry Lane, Suite 3
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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Norman R. Pozez
Michael D. Collier
Keith J. Allen
Dennis M. McDonald

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

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

Norman R. Pozez - Manager and Chairman
Michael D. Collier - President
Dennis M. McDonald - Treasurer
Keith J. Allen - Secretary

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

Rezoning Attachment to Par. 1(b)

DATE: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(enter County-assigned application number (s))

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

ASEPOZ, LLC
8191 Strawberry Lane
Suite 3
Falls Church, VA 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 THE SHAREHOLDER: (enter first name, middle initial, and last name)

Hanon Alexander Pozez
Samuel Lawrence Pozez
Eli Bieber Pozez

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

Mitra Mamdouhi, Manager

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

N/A

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: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(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)
N/A

(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)

N/A

(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: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(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: August 24, 2010
(enter date affidavit is notarized)

108692c

for Application No. (s): PCA/FDPA 2003-PR-009
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[Handwritten signature]

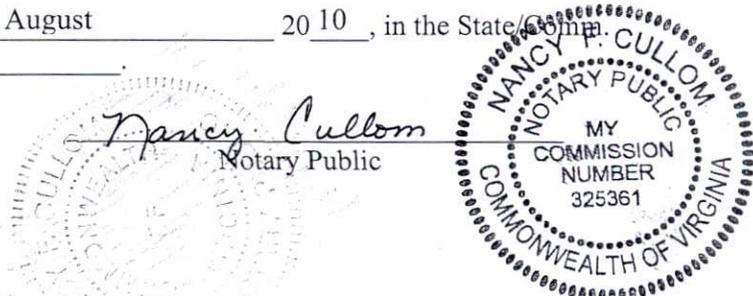
[X] Applicant's Authorized Agent

Steven F. Teets, Authorized Agent

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

Subscribed and sworn to before me this 24th day of August 2010, in the State of Virginia, County/City of Fairfax

My commission expires: 2-28-2014



April 8, 2010

RECEIVED
Department of Planning & Zoning

APR 15 2010

RZ/FDPA 2003-PR-009 Uniwest/Merrifield Town Center

Zoning Evaluation Division

Statement of Justification

Uniwest Development LLC (the "Applicant") hereby requests approval for a "limited" Final Development Plan Amendment and "limited" Proffered Condition Amendment of 21,321 square feet of Tax Map Parcel 49-4 ((17)) (2). This application intends to clear up the town center connectivity along a private road that runs along the western boundary of the Parcel.

The property is located on the south side of Lee Highway (Route 29), approximately 400 feet west of Gallows Road (Route 650). North of the property is C-5 zoned property that is in transition due to VDOT takings in regards intersection improvements being constructed by the Route 29/Gallows Road project. To the east is an I-5 zoned parcel and to the west is PDC Zoned property that currently has an unoccupied Movie Theatre, but is proposed for a 1.8 million square foot Town Center.

The entire property was rezoned March 10, 2004 to the PRM district under RZ 2003-PR-009 and FDP 2003-PR-009 and is subject to approved Proffers dated the same March 10, 2004. The development was zoned and planned in conjunction with the "Merrifield Suburban Center Plan" of the Comprehensive Plan and is in compliance with the elements of the Comprehensive Plan.

Further, the property has been Site Planned under an approved Site Plan 0561-SP-01 and has been fully constructed with two multi-use buildings that are in conformance with the March 10, 2004 Zoning Case.

The purpose of this "limited" Final Development Plan Amendment and "limited" Proffer Condition Amendment is in regards to the North South Access Road (hereafter called the "Yates Way") that runs generally along the western property line and is paralleling Gallows Road to the East. Yates Way was originally designed to start to provide a Street Grid System for the Core Area of the Merrifield Town Center. During the Zoning, specifically during negotiations with VDOT, it was maintained that access to Route 29 was already granted from the property through the property to the west. That property was owned, at that time, by National Amusements, Inc. and the access obligation was part of a 1984 Proffered Rezoning 84-P-043. VDOT maintained that no direct access could occur with the National Amusement entrance so close and since access had previously been proffered.

During the Site Plan process, Yates Way was designed with an offset to its westerly property line to allow for Landscaping trees to be planted. To facilitate inter parcel access, one 24' wide ingress-egress easement was platted to allow connection to the National Amusement Property. As proffered, Yates Way did not intersect with Route 29

and curved eastward to facilitate Interparcel access to the East. This Interparcel access was intended to be temporary since a platted Ingress Egress easement was provided along the rear of adjoining North Parcels 49-4 ((1)) 5, 6, 7 and 7A per Proffer #10.

In 2007, the aforementioned National Amusements parcel went through a Rezoning to further facilitate the Merrifield Suburban Plan. This Rezoning, RZ 2005-PR-041 was approved on October 15, 2007. As part of that Rezoning, it was desirable to maximize the developable areas and continue to provide the Grid vision of the Core Area. The intent during RZ 2005-PR-041 was to create a "Main Street" through the National Amusements property to act as the Town Center Main Street, paralleling Gallows Road and Eskridge Road (to the west). Currently this Road serves as the vehicular access to both Uniwest Buildings, Parking and Service vehicles. This Zoning also called for the afore referenced Yates Way to become the connection to Route 29 Lee Highway, (eliminating the Access in the 1984 proffers)

In RZ 2005-PR-041, this connection would be allowed, subject to the following conditions: VDOT approval, Offsite easements from Uniwest Development, LLC and this Proffered Condition Amendment.

In 2009, the Developer for the National Amusements site began the process to obtain an Access Management Exception to allow for Yates Way to tie directly to Route 29. On May 12, 2009, VDOT granted the Design Exception to allow this Direct Access to Lee Highway.

An agreement has also been approved and recorded (D.B. 20958 Pg. 0054) between this property and the new owner of the National Amusements property allowing the proposed improvements shown on RZ 2005-PR-041.

This Proffer Conditioned Amendment and Final Development Plan Amendment would then finalize the vision of the Core Area of the Merrifield Suburban Center Plan and conclude several years of negotiations and planning and we humbly request it's expedite approval.

There is no change to this property as it relates to FAR, GFA, Uses, Parking or Buildings. This property has been developed in accordance with all applicable ordinances, regulations and adopted standards unless waived specifically with the Rezoning and/or Site Plan.

This property was designed to meet all necessary Fairfax County design criteria as it relates to Storm Water Detention and Quality Control measures and such demonstration can be found on approved Site Plan 0561-SP-01.

A Context Graphic has been prepared and included herein. It represents a portion of the CDP/FDP sheets of both our RZ 2003-PR-009, as approved with an overlay showing the approved common property line of RZ 2005-PR-041. The purpose of this Context

Exhibit is to depict the elements and help understand the timelines outlined here for information purposes.

The Final Development Plan Amendment (FDPA) included herein is to outline the only part of the original Zoning that is subject to this FDPA and PCA. Furthermore, it is the intent of this Zoning action to reaffirm and confirm all previous proffers with the exception of Proffer # 10 which is proposed to change as follows:

Replace Proffer 10 to the following:

Interparcel Access. Interparcel access shall be provided to Tax Maps 49-4 ((1)) 5, 6, 7 and 7A to the North. The service drive located at Tax Map 49-3 ((1)) 80A and 80B may be extended to the side street to permit access to Route 29. If approved by VDOT and Fairfax County DPWE&S, a connection to Route 29 can be constructed as shown on the FDPA. Said connection will be general conformance with the connection shown on the FDPA. Interparcel access to the side street will be provided to Tax Map 49-3 ((1)) 80A to the west. The applicant reserves the right to provide multiple connections to Tax Map 49-3 ((1)) 80A to the west, including but not limited to garage entrances, loading entrances, additional travel lanes as generally shown on the FDPA. Temporary construction easements shall be granted to facilitate Interparcel access.

In addition to Interparcel access, the proposed entrance to the loading area on the north side of the proposed north building will be so designed that it can provide access to a loading area for a proposed consolidated development program on adjacent Lots 5, 6, 7, 7A.

We look forward to working with Staff to clean this issue up as soon as possible.

Sincerely,



Steven F. Teets
Authorized Agent for
Uniwest Development, LLC



FAIRFAX COUNTY

APPENDIX 4

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

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

March 10, 2004

William B. Lawson, Jr. Esquire
Lawson and Frank P.C.
6045 Wilson Boulevard, Suite 100
Arlington, Virginia 22205-1540

RE: Rezoning Application
Number RZ 2003-PR-009

Dear Mr. Lawson:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 23, 2004, granting Rezoning Application Number RZ 2003-PR-009 in the name of Uniwest Group, LLC to rezone certain property in the Mount Vernon District from the I-5 District and Highway Corridor Overlay District to the PRM (Planned Residential Mixed-Use) District and Highway Corridor Overlay District, to permit mixed use development at an overall Floor Area Ratio (FAR) of 1.35, including bonus density for the provisions of Affordable Dwelling Units (ADUs), located on the west side of Gallows Road approximately 200 feet south of its intersection with Lee Highway and north and south of Strawberry Lane, Tax Map 49-4 ((1)) 4, 8, 9, 9A, 10, 11, and 11A and Strawberry Lane public right-of-way to be vacated and/or abandoned, subject to the proffers dated February 20, 2004, consisting of 7.48 acres. [Approval of this application may enable the vacation and/or abandonment of portions of the public right-of-way for Strawberry Lane to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.]

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development FDP 2003-PR-009 on February 11, 2004, subject to the Board's approval of RZ 2003-PR-009.

RZ 2003-PR-009
March 10, 2004

- 2 -

The Board also modified the loading space requirement to permit three spaces instead of five spaces in the southern building.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly
Supervisor Linda Q. Smyth, Providence District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Department of Highways - VDOT
Irish Granfield, Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Executive Director, Planning Commission
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

RECEIVED
Department of Planning & Zoning
MAR 11 2004
Zoning Evaluation Division

**PROFFERED CONDITIONS
("PROFFERS")**

**Uniwest/Merrifield Town Center
RZ/FDP 2003-PR-009**

February 20, 2004

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, Uniwest Group LLC, and the owners, for themselves, their successors and assigns (hereinafter referred to as the "Applicant"), for RZ 2003-PR-009, filed for property identified on Fairfax County Tax Map 49-4 ((1)) as Parcels 4, 8, 9, 9A, 10, 11 and 11A, and a portion of Strawberry Lane (Route 3145) to be vacated/abandoned and relocated (hereinafter referred to as the "Application Property"), agree to the following proffered conditions, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the General Industrial (I-5) and Highway Corridor Overlay (HC) Districts to the Planned Residential Mixed Use (PRM) and HC Districts. The proffered conditions ("Proffers") are:

I. CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)

1. Substantial Conformance. Subject to the Proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), containing eighteen (18) sheets prepared by Dewberry & Davis LLC, dated January 14, 2003 and revised through December 12, 2003. Regardless of the notes on the CDP/FDP the maximum number of residential units shall be 270 and the maximum FAR for the site shall be 1.35.

2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers which may become occasioned as a part of final architectural and engineering

design may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Sect. 16-403 of the Zoning Ordinance. Building footprints may be decreased and the number of units in each building may be reduced, so long as the minimum open space identified on the CDP/FDP tabulation and the minimum dimensions to the peripheral lot lines of the PRM District are not substantially diminished. It shall further be understood that the Property may be developed in phases subject to market conditions.

3. Maximum Density and Permitted Uses. A maximum of 270 multiple family dwelling units may be provided in two (2) buildings, which will also include approximately 65,136 square feet dedicated to retail uses to be located on the first and second floor(s) of the North building and approximately 40,364 square feet dedicated to retail uses to be located on the first and second floor(s) of the South Building. The site shall not exceed 1.35 FAR and as depicted in the tabulations on Sheet 2 of the CDP/FDP the FAR increase over 1.2 shall consist of ADUs and related bonus units as defined in Part 8 of Article 2 of the Zoning Ordinance. The primary uses shall be multiple family dwelling units, affordable dwelling units and retail uses, which retail uses are limited to the first and second floors. The following secondary uses located on the first and second floor of the buildings may also be included within the designated areas of structures shown on the CDP/FDP:

- A. Accessory uses and accessory services uses.
- B. Billiard and pool halls
- C. Business service and supply service establishments.
- D. Eating establishments (not drive through).
- E. Fast food restaurants (not drive through).
- F. Financial institutions (not drive through).

- G. Garment cleaning establishment (not drive through).
- H. Health clubs.
- I. Community uses.
- J. Personal service establishments.
- K. Private clubs and public benefit associations.
- L. Public uses.
- M. Quick service food stores.
- N. Unmanned bank teller machines (not drive through).
- O. Offices.
- P. Retail sales establishments.
- Q. Repair service establishments
- R. Private schools of special and general education (which do not require outdoor recreation areas)

II. GENERAL

1. Escalation. All monetary contributions required by these Proffers shall be adjusted upward or downward, based on changes to the Construction Cost Index published in the Engineering News Record occurring subsequent to the date of rezoning approval and up to the date of payment.

2. Signs. No temporary signs (including "popsicle" paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or by any builder or at the Applicant's or any builder's direction to assist in the initial and future marketing and/or sale/rental of dwelling units on the subject

property. The Applicant shall direct its agents and employees involved in marketing the Property to adhere to this proffer.

3. School Contributions. Prior to approval of the first Building Permit for the approved development, the Applicant shall provide documentation to the Department of Public Works and Environmental Services (“DPWES”) that the Applicant has donated the sum of \$127,500.00 to the Board of Supervisors for the Fairhill Elementary School. These funds are to be applied towards the purchase of Wireless Networking and Mobile Lab Units in support of Fairhill’s Technology Project. At the time the funds are received, other equivalent or more advanced technologies may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.

Prior to approval of the first residential use permit (RUP) the Applicant shall provide documentation to DPWES that the Applicant has donated the sum of \$22,500.00 to the Board of Supervisors for the Luther Jackson Middle School and the sum of \$60,000.00 to the Board of Supervisors for Falls Church High School. These funds are to be applied towards needed improvements and purchases for the computer labs, and a LCD projector, respectively. At the time the funds are received, other equivalent items may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.

4. Density Credit. Advanced density credit is reserved consistent with Sect. 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the Public Facilities Manual (PFM), at the time of subdivision and/or site plan approval for the Property.

5. Affordable Dwelling Units (“ADUs”). Notwithstanding what is represented on

the CDP/FDP, the Applicant may construct up to 270 dwelling units on the Application Property of which 6.25% of the total number of constructed units, shall be affordable dwelling units (ADUs). Applicant reserves the right to provide said ADUs as either sale or rental units under the provisions of Part 8 of Article 2 of the Fairfax County Zoning Ordinance (the "Ordinance"). If ADUs are provided as rental units, the rental rates shall be determined in accordance with the Ordinance with a Washington Standard Metropolitan Statistical Area (WSMSA) median income established at \$91,500.00 or higher if the WSMSA median income is so adjusted in the future. If ADUs are provided for sale, the established sales price to the initial purchaser shall be \$110,000.00 for two-bedroom units and \$100,000.00 for one-bedroom units. The one bedroom ADU shall be a minimum of 700 square feet and the two bedroom ADU shall be a minimum of 900 square feet.

Whether the ADUs are provided as rental or for sale units, the Applicant reserves the right to seek a modification of the requirements of Section 2-806 of the Ordinance that requires a proportional bedroom mix between market units and ADUs from the ADU Advisory Board. Further, the percentage of ADUs required may be reduced by the Applicant from 6.25 % to 5% of the total number of constructed units based on the adoption of a future amendment to the applicable provisions of the Ordinance if such amendment permits such reduction. Notwithstanding a reduction in the number of ADUs, the Applicant shall be permitted to construct up to 270 dwelling units on the Application Property. The FAR increase over 1.2 FAR shall consist of the gross floor area of the ADUs and the related bonus units.

6. Architectural Compliance. The architectural design of the buildings shall be in substantial conformance with the elevations and sections shown on the CDP/FDP. Modifications

may be made with the final architectural design if they are determined to be in substantial conformance with the elevations shown on the CDP/FDP. The provision of the pedestrian bridge shall be subject to VDOT approval. All sides of the buildings shall be architecturally consistent and constructed with substantially similar materials. The building materials will be a combination of materials to include pre-cast, glass, metal panels, masonry, hardi-board, cementitious panel, E.I.F.S., or stucco.

If EIFS is used, the Applicant shall utilize licensed E.I.F.S. contractors for installation. The installation of any E.I.F.S. shall be inspected by manufacturer's representative or independent testing consultant to verify that the installation is per the manufacturer's requirements. E.I.F.S. shall be routinely maintained to preserve the appearance.

Use of E.I.F.S. shall be limited as follows:

- A. E.I.F.S. shall not be used below twelve feet (12') above grade on lower commercial floors.
- B. E.I.F.S. may be used on the top floor for cornice or other accent features.

7. Maximum Building Height. The maximum building height of the proposed buildings shall not exceed 95 feet as shown on the Development Plan. This height limit does not include penthouses and other mechanical equipment rooms covering less than 25% of the roof area.

8. Administrative Review. Concurrent with the submission of site plans to DPWES, the Applicant shall submit copies of the site plans to the Providence District Supervisor and Planning Commissioner for the purpose of administrative review and comment.

9. Utilities. Utilities shall be provided underground within conduits and located in a manner not to adversely affect the landscaping depicted on the CDP/FDP. The Applicant shall

work with the public utility companies to allow them to make reasonable provisions through Applicants property to serve future development of other contiguous parcels so long as such provisions do not negatively impact Applicant's development. In addition, all of the residential units will be wired for broadband Internet access.

III. RECREATION

1. Recreation Contribution. Pursuant to Sect. 6-409 of the Zoning Ordinance, the Applicant shall provide recreational facilities to serve the Application Property. Recreational facilities such as swimming pools, exercise rooms, or health clubs which are located on rooftops, deck areas and/or areas within a building may be used to fulfill this requirement. At the time of site plan review, the Applicant shall demonstrate that the value of any proposed recreational amenities is equivalent to a minimum of \$955.00 per unit as required by Sect. 6-409 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall have the option to: (1) provide additional on-site recreational amenities within the approved structures, or within the open space areas shown on the CDP/FDP, if it is determined that the location would be in substantial conformance with the CDP/FDP; and/or (2) contribute funds to the Fairfax County Park Authority for off-site recreational purposes in the proposed Merrifield Town Center that are reasonably expected to serve the future residents of the approved development.

2. Urban Park. The Applicant shall construct the improvements in the Urban Park generally as detailed on Sheet 14 of the CDP/FDP as may be modified by coordination with the Fairfax County Park Authority and following construction, dedicate to the Fairfax County Park Authority the Urban Park in fee simple, prior to final bond release. The dedication of the Urban Park, construction, facilities and maintenance provided within the Urban Park shall not be

counted against the requirement of recreation under Sect. 6-409 as referenced above. The Applicant shall work with the Fairfax County Park Authority ("Park Authority") for a final design that will facilitate expansion of the park to the west. The Applicant shall provide a sign identifying the Park as being owned by the Park Authority and maintained by the Applicant (or its designee). Said sign may be integrated into the park improvements. In addition, the Applicant shall provide a mountable curb to allow the delivery of equipment to the Park.

3. Park Maintenance. The Applicant shall enter into an Agreement with the Fairfax County Park Authority whereby the Applicant shall assume the permanent responsibility to maintain the Urban Park and pay for all utilities used at the Urban Park. The Park Authority and Applicant shall cooperate and coordinate in establishing maintenance standards for the Park. The Agreement shall be reviewed and approved by the County Attorney, executed and recorded among the land records prior to issuance of the first Non-RUP or RUP.

4. Bicycle Racks. A minimum of two (2) bicycle racks shall be provided for each building in the parking garages.

5. Benches. A minimum of twelve (12) park benches shall be disbursed throughout the site as generally shown on the CDP/FDP. Illustrations of benches have been provided with the CDP/FDP to demonstrate the character and quality of the benches to be used on the site.

IV. ENVIRONMENTAL

1. Stormwater Management. Stormwater Management (SWM) and Best Management Practices (BMP) facilities and measures shall be provided in accordance with the PFM and in addition in accordance with the following standards as may be approved by DPWES.

A. The facilities will provide a minimum of 30% phosphorous removal.

- B. The proposed underground detention facilities will be designed to reduce the cumulative proposed conditions 2 and 10 year release rate from the site 10% below the cumulative existing flow rate.
- C. In addition to detaining the two (2) and ten (10) year storms as described above and prescribed by existing County regulations, given approval by DPWES, the outlet devices on the proposed underground SWM facilities will be designed to maximize the detention of the runoff from the proposed development program for approximately 0.85" of rainfall which equates to a storm frequency of less than one (1) year.
- D. In addition, if approved by DPWES, the proposed SWM facilities will be designed to capture a volume of runoff large enough to fully detain the runoff generated by the proposed development program for the mean annual storm.

If DPWES should not approve one of the proposed standards presented in Paragraphs A, B, C or D above, in lieu thereof, the Applicant shall pay two (2) times the currently established pro rata share for the Accotink Watershed for drainage improvements downstream in the Long Branch.

Prior to site plan approval, the Applicant shall demonstrate to the satisfaction of DPWES that an adequate outfall is provided.

The Applicant proposes to utilize underground detention and BMP facilities as the primary means of detaining and treating the stormwater runoff. The location and number of the underground stormwater management and best management practice facilities may be modified as depicted on the CDP/FDP but shall be subject to approval of DPWES. In lieu of a standard

sand filter device, the Applicant may utilize other innovative BMP devices to meet the BMP requirements, subject to the approval of DPWES and engineering design requirements. The primary storage and filter facilities will be located where the proximity to an adequate outfall allows the most approvable design, so as not to interfere with other aspects of the CDP/FDP, but smaller facilities, integrated into storm catch basin structures, may be utilized elsewhere on the site, subject to the approval of DPWES. The use of such facilities is subject to the granting of a waiver of current County policies to permit these underground facilities in a residential/mixed use project. If the proposed facilities, or viable alternatives that do not significantly affect the site layout, are not approved by DPWES, the Applicant recognizes that it may be necessary to request an amendment to the proffers (“PCA”) and/or approved CDP/FDP to alter the site design.

The Applicant, and its successors, will assume the responsibility for the perpetual maintenance of all underground storm water management facilities and will execute an agreement with the County in a form satisfactory to the County to this effect at the time of site plan approval. Said agreement shall address the following issues:

- A. Future replacement when warranted;
- B. Liability and insurance in an amount acceptable to Fairfax County;
- C. Restriction that the Applicant or successors or assigns shall not in the future petition DPWES for maintenance; and D. County inspection to ensure that the facilities are maintained by the Applicant in good working order.

2. Landscaping. The landscaping shall be provided in substantial conformance with the location, quality, and quantity of planting depicted on the CDP/FDP. The Applicant shall

submit a landscape plan as a part of each site plan submission. This plan shall be coordinated with, and approved by, the Urban Forestry Division, DPWES. This plan shall be designed with a selection of plant materials that will satisfy the objectives set forth in the Comprehensive Plan and will be conducive to air quality enhancement. The Applicant shall maintain all landscaping, including the landscaping located within VDOT right-of-way along Gallows Road and Strawberry Lane. All new shade trees provided as a part of the streetscape shall be minimum of 2 ½ to 3.0 inches in caliper at the time of planting; all new flowering trees shall be a minimum of 2 inch caliper at the time of planting; and all new evergreen trees shall be a minimum of six (6) to eight (8) feet in height at the time of planting. The landscape strip adjacent to Gallows Road and Strawberry Lane shall contain shade trees, ground cover, under story planting, ornamental shrubs, grass and/or flowering plants subject to the review and approval of the Urban Forester as shown on the CDP/FDP. The secondary landscape strip adjacent to the buildings shall include flowering trees, ornamental shrubs, ground cover, flowering plants and/or grasses, subject to the initial review and approval of the Urban Forester. The cost of providing the single row of street trees and landscaping adjacent to Gallows Road may be escrowed, if determined appropriate by DPWES; this area may be planted by others after the ultimate Gallows Road improvements. The secondary landscaping strip adjacent to the buildings and the sidewalks shall be completed prior to issuance of the first Non-RUP or RUP for that building in which the landscaping is abutting.

The proposed streetscape along Gallows Road as represented on the CDP/FDP is based on the current plans for the ultimate improvement plan for Gallows Road. The Applicant shall coordinate with VDOT to determine if a reduced road section for Gallows Road ultimate improvement is appropriate (i.e. smaller lane widths) as exemplified by the Alternative Streetscape Plan on Sheet 3 of the CDP/FDP. If the Alternative Streetscape Plan can not be

implemented prior to site plan approval the Applicant shall demonstrate to DPWES the failed efforts with VDOT to revise the ultimate road section and then may provide the streetscape as depicted on the CDP/FDP.

3. Energy Conservation. The Residential Units shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy dwellings as applicable.

4. Noise Attenuation. The Applicant shall provide the following noise attenuation measures:

- A. In order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn, the Applicant proffers that all residential units shall have the following acoustical attributes:
- (1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39;
 - (2) Doors and glazing shall have a laboratory STC rating of at least 28. If glazing constitutes more than 20% of any façade they shall have the same laboratory STC rating as walls; and
 - (3) Measurers to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - (4) Prior to issuance of Building Permits, the Applicant reserves the right pursue other methods of mitigating highway noise impacts that can be demonstrated through an independent noise study as reviewed and approved by DPWES, that these methods will be

effective in reducing interior levels to 45 dBA Ldn or less.

- B. In order to reduce the maximum exterior noise below 65 dBA Ldn in the rooftop pool and common area, noise attenuation barriers shall be provided, if needed. Prior to issuance of Building Permits, the Applicant reserves the right to demonstrate through an independent noise study as reviewed and approved by DPWES, that these areas will not be impacted by transportation generated noise in excess of 65 dBA Ldn.

5. Lighting. All on-site outdoor and parking garage lighting shall comply with the Outdoor Lighting Standards set forth in Part 9 of Article 14 of the Zoning Ordinance. Street lights shall be full cut off.

6. Pedestrian Facilities. The pedestrian facilities and related streetscape design for Gallows Road, Strawberry Lane and the proposed side street, including the entry plazas, shall be in substantial conformance with the CDP/FDP and the attachments to these Proffers.

V. TRANSPORTATION

1. Transportation Management Strategies. Mass transit, ride-sharing and other transportation strategies will be utilized to reduce single occupancy vehicular (SOV) traffic during peak hours by a minimum of 15% of the trips generated according to the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. Residents and employees of the residential development shall be advised of this transportation strategy. Transportation coordination duties shall be carried out by a designated property manager(s) or transportation management coordinator(s). The transportation strategy management position may be a part of other duties assigned to the individual(s). The transportation management strategies will be implemented prior to the 185th RUP being issued. The following is a list of potential strategies

that shall be implemented:

- A. Designating an individual to act as the transportation coordinator (property management staff person) for the Application Property whose responsibility will be to implement the transportation management strategies;
- B. Participation in the Fairfax County Ride Share Program;
- C. Dissemination of information regarding Metrorail, Metrobus, ridesharing and other relevant transit options in residential sale/lease packages;
- D. Making Metro maps, schedules and forms, ridesharing and other relevant transit option information available to owners/tenants and employees in a common area(s) of each building;
- E. Providing amenities for bicycle storage; and
- F. Providing a sidewalk system designed to encourage/facilitate pedestrian circulation.
- G. Providing Smart Trip cards (or a similar fare card) to new residents of the Application Project.

The Applicant shall notify DOT the date that the transportation strategies are implemented. One year after the transportation management strategies are implemented, the Applicant shall conduct a survey of residents and employees in the residential development to determine their transportation characteristics. This survey will help form the basis of the transportation management program for development. The survey shall be submitted to the Fairfax County Department of Transportation for review.

Annually thereafter, the Applicant shall conduct a multi-modal transportation split survey

of the residents and employees of the residential development to demonstrate whether such goal of reducing SOV trips by 15% has been met during peak hours. The yearly report shall be submitted to the Fairfax County Department of Transportation for review. The terms of this proffer shall expire fifteen (15) years after the last RUP is issued.

If the annual multi-modal transportation split surveys indicate that a reduction of SOV trips by 15% during peak hours has not occurred, five cents (\$0.05) per square feet of occupied residential gross floor area shall be contributed annually to the transportation demand management fund until such time as the reduction has occurred.

2. Shuttle. Prior to the issuance of the first Non-RUP or RUP, the Applicant, individually, or in conjunction with other property owners within the immediate vicinity of the Merrifield Town Center area, shall operate or contract with a third party to operate and maintain a shuttle bus service for use by the residents and employees of the Application Property to provide access to and from the Dunn Loring Metro Station. Such service shall be available during the morning peak (6:30 a.m. to 9:30 a.m.) and evening peak (4:30 p.m. to 6:30 p.m.) excluding Saturday, Sundays, national holidays and snow emergency days. Seating capacity of such shuttle bus(es), the frequency of trips and number of such bus(es) shall be coordinated to reasonably meet demand as determined by the results of the surveys. The shuttle bus program shall be periodically updated as demand is reassessed, and the program shall be coordinated with the Fairfax County Department of Transportation.

3. Shuttle Contribution. Should a Merrifield Shuttle Service be established from the Dunn Loring Metro Station to a location adjacent to the Property (as distinguished from the existing routine Metro Bus Route) then the Applicant may discontinue or not establish such service and shall contribute \$10,000.00 to the Merrifield Shuttle Service. Said contribution shall

be made upon the earlier to occur: (1) the 185th RUP has been issued, or the service is discontinued subsequent the 185th RUP having been issued.

4. Traffic Calming. To the extent permitted by VDOT and DPWES, the Applicant shall install stamped walkways on the proposed roads as shown on the CDP/FDP. The Applicant shall enter into a maintenance agreement for these walkways.

5. Bus Shelter. If requested by VDOT or DOT prior to site plan approval, the Applicant shall construct and maintain a bus shelter at an agreed upon location on the subject property. If the bus shelter is not requested, the Applicant shall escrow \$20,000.00 for a bus shelter in the Merrifield Town Center area prior to site plan approval.

6. Right-of-Way Vacation. Notwithstanding the submission for processing of any applications, plans or plats in furtherance of the development of the Application Property, the Applicant acknowledges that no such plan or plat shall be approved by Fairfax County until or unless the vacation of right-of-way proposed as part of the Application Property is approved by the Board of Supervisors and is final. In the event that such vacation is not approved by the Board of Supervisors, or in the event that Board's approval is overturned by a court of competent jurisdiction, any development of the Application property under the PRM District shall require a proffered condition amendment and the Applicant acknowledges that such amendment may result in a loss of density. The Applicant hereby waives any right to claim or assert a taking or any other cause of action that otherwise may have arisen out of a Board decision to deny in whole or in part the right-of-way vacation.

7. Gallows Road. The Applicant shall dedicate land in fee simple to the Board of Supervisors sufficient for the right-of-way for the ultimate improvement of Gallows Road at the time of final site plan approval or upon written demand, whichever occurs first. Notwithstanding

the representation on the CDP/FDP, the location of the dedicated right-of-way shall generally follow the back of curb of the ultimate improvement as may be approved by DPWES and VDOT. Prior to issuance of a RUP or Non-RUP, the interim roadway improvements as depicted on Sheet 16 of the CDP/FDP and as may be approved by DPWES shall be constructed and the Applicant shall escrow an amount equivalent to the additional construction cost associated with improving the interim roadway improvements to the ultimate frontage improvements as shown on the CDP/FDP.

8. Strawberry Lane. As shown on the CDP/FDP, subject to the vacation of Strawberry Lane, the Applicant shall dedicate land in fee simple to the Board of Supervisors for the right-of-way of Strawberry Lane at the time of final site plan approval or upon written demand, whichever occurs first. Prior to issuance of the first RUP or Non-RUP, roadway improvements shall be made on Strawberry Lane as shown on the CDP/FDP. Strawberry Lane shall be designed and built to VDOT standards but shall not be dedicated to VDOT until Strawberry Lane is extended to the west by others, unless requested by VDOT or the County and accepted without a cul-de-sac.

Until such time as relocated Strawberry Lane is dedicated, an easement for public access shall be established to provide access from Gallows Road to Parcel 49-3-((1))-80A. During Construction, the Applicant shall provide two-way access between Gallows Road and Parcel 49-3-((1))-80A which shall enter Parcel 49-3-((1))-80A at its present location.

9. Traffic Signals. The Applicant shall perform the interim modifications to the traffic signal at the intersection of Strawberry Lane and Gallows Road to accommodate the traffic generated by the proposed development and the interim improvements to Gallows Road subject to the approval of VDOT. Said modifications may include the relocation of signal poles

and pedestrian activation, as necessary. The Applicant shall provide the necessary easements for the traffic signals. Said modifications shall be completed prior to the issuance of the first Non-RUP or RUP for the Application Property. An amount equal to the ultimate modifications to the traffic signal, minus the cost of these interim modifications which will be utilized in the ultimate modification, shall be escrowed, with the amount to be approved by DPWES.

10. Interparcel Access. Interparcel access shall be provided to Tax Maps 49-4 ((1)) 5, 6, 7 and 7A to the North. The service drive located at Tax Map 49-3 ((1)) 80A and 80B may be extended to the side street to permit access to Route 29; however, no direct access to Route 29 shall be provided. Interparcel access to the side street will be provided to Tax Map 49-3 ((1)) 80A to the west. The Applicant shall provide public access easements in a form approved by the County Attorney to permit interparcel access on the side street and service drive. Temporary construction easements shall be granted to facilitate interparcel access.

In addition to interparcel access, the proposed entrance to the loading area on the north side of the proposed north building will be so designed that it can provide access to a loading area for a proposed consolidated development program on the adjacent Lots 5, 6, 7 and 7A.

11. Notification. Notification in the Public Offering Statement shall be provided to the future purchasers/renters of the units that Gallows Road is approved to be expanded in front of the site and that a portion of the existing open space along Gallows Road is only an interim condition.

12. Eskridge Road. The Applicant shall contribute \$10,000.00 towards the future improvements of Eskridge Road.

V. MISCELLANEOUS

1. Signage. Signage shall be provided in accordance with Article 12 of the Zoning

Ordinance. If lighted, signage shall be internally lit only. The Applicant reserves the right to make application for a comprehensive signage plan in accordance with the provisions set forth in Sect. 12-210 of the Zoning Ordinance.

2. The homeowners association documents shall detail the maintenance responsibilities of the urban park, SWM facility and bus shelter.

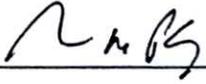
3. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

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

[SIGNATURE PAGES TO FOLLOW]

UNIWEST GROUP LLC, APPLICANT

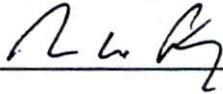
By: Norman R. Pozez, Managing Member

By: 

MERRIFIELD TOWN CENTER LIMITED PARTNERSHIP
OWNER 49-4 ((1)) 10, 11, 11A

By: Uniwest Group, LLC, its General Partner

By: Norman R. Pozez, Managing Member

By: 



County of Fairfax, Virginia

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

December 13, 2007

Francis A. McDermott
 Hunton & Williams LLP
 1751 Pinnacle Drive, Suite 1700
 Mclean, Virginia 22102

RE: Rezoning Application RZ 2005-PR-041
 (Concurrent with Special Exception Amendment Application SEA 99-P-008)

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 15, 2007, granting Rezoning Application RZ 2005-PR-041 in the name of Merrifield Mixed Use LLC. The Board's action rezones certain property in the Providence District from the I-4, I-5, and HC Districts to the PRM, PDC, and HC Districts and permits the mixed use development with an overall Floor Area Ratio (FAR) of 1.39 (including ADU Bonus). The subject property, [Tax Map 49-3 ((1)) 80A, 80B, 80C, 81A, and 82A and portions of public rights-of-way for Hilltop Road and Eskridge Road to be vacated and/or abandoned], is located on the south side of Lee Highway approximately 500 feet west of its intersection with Gallows Road on approximately 31.37 acres of land, and is subject to the proffers dated October 15, 2007. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Hilltop Road and Eskridge Road to proceed under Section 15.2-2272 (2) and 33.1-151 of the Code of Virginia).

The Board also:

- Modified the private street limitations of Section 11-302 of the Zoning Ordinance.
- Modified the load space requirements for multi-family dwelling units and office space in favor of that depicted on the CDP/FDP.
- Modified the transitional screening and waiver of the barrier requirements to the south, east, and internal to the site, in favor of the treatments depicted on the CDP/FDP.
- Waived the four-foot peripheral parking lot landscaping requirement north of parcel G, west of parcels C and E, and along the southern and eastern property lines.

Office of Clerk to the Board of Supervisors
 12000 Government Center Parkway, Suite 533
 Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
 Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

- Approved the Waiver # 0561-WPFM-002-1 to locate underground facilities for all residential development, subject to the conditions dated November 30, 2006.
- Waived the service drive requirement along the Lee Highway frontage of the site.
- Directed the Director of DPWES to approve modification of the parking geometric standards to allow for 75-degree angled parking spaces within parking structures.
- Modified to allow residential use as a secondary use consisting of up to 76 percent of the principal uses in the PDC District, pursuant to Section 6-206 of the Zoning Ordinance.
- Modified Paragraph 3 of Section 18-201 of the Zoning Ordinance which would require the provision of further interparcel access in addition to that indicated on the CDP/FDP.
- Modified Paragraph 4 of Section 170201 of the Zoning Ordinance for dedication and construction of widening existing road, existing roads on new alignments, and proposed roads along Lee Highway, as indicated in the Comprehensive Plan or as required by the Director of DPWES to that shown on the CDP/FDP and as proffered.
- Modified the materials for the proposed trail along Lee Highway shown on the Comprehensive Plan Trails Map to that shown on the CDP/FDP.
- Directed the Director of DPWES to approve modification of the Public Facilities Manual and paragraph 12 of Section 11-102 of the Zoning Ordinance to allow for the projection, by no more that 4 percent of the stall area, of structural columns into parking stalls in the parking structures.
- Approved the Conceptual Development Plan CDP 2005-PR-041, subject to the development conditions dated October 15, 2007.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms
Enclosure

11. **Yates Way Access.** No site plan for development of uses on Parcel B providing for direct vehicular access between Parcel B and Yates Way shall be approved by DPWES until such time as the following conditions are satisfied: (i) Parcel B has a legal right of direct vehicular access to Yates Way in the manner proposed by such site plan via either public or private easement or right of way over that certain approximately 10-foot-wide landscape strip along Parcel B's eastern boundary north of Strawberry Lane, being part of Parcel 49-4 ((1)) 8A, which strip separates the existing public access easement for Yates Way from Parcel B; and (ii) the Board of Supervisors' has approved a Proffered Condition Amendment for Parcel 49-4 ((1)) 8A which allows, among other things, for the modification or elimination of such approximately 10-foot-wide landscape strip referenced above.

VII. TRANSPORTATION – ROAD IMPROVEMENTS

1. **Eskridge Road.** The Applicant shall reconstruct Eskridge Road as set forth in detail in Site Plan SP-0561-02, as it may be revised by the Applicant and approved by DPWES ("PI Plan"), from its intersection at Lee Highway to the southern end of the Property ("Eskridge Road"). Said improvement shall be constructed and open to traffic consistent with the approved PI Plan, as said PI Plan may be modified or amended to reflect such additional improvements as are shown on the CDP/FDP as set forth below, prior to issuance of any Non-Residential Use Permits ("Non-RUPs") or Residential Use Permits ("RUPs") for any new buildings associated with the CDP/FDP. Notwithstanding the aforesaid, those improvements to Eskridge Road reflected on the CDP/FDP but not on the approved PI Plan (which consist of modifications to the median on Eskridge Road between Strawberry Lane and Route 29, and the extension of a continuous right-turn lane, as approved by VDOT, from Strawberry Lane north to eastbound Route 29) shall be constructed and open to traffic prior to the issuance of a Non-RUP for any use on Parcel A.
2. **Extension of Eskridge Road to Williams Drive.** Within 120 days of approval of the rezoning application, the Applicant shall prepare and submit to the County a preliminary design (as described below) of the extension of Eskridge Road from the southern Property boundary through to, and including, its the intersection with Williams Drive (PI Plan Station 28+57 through Station 32+50). Said extension shall be designed as a two lane, undivided section and shall include a transition from a three lane section at the

Street. Festival Street Extended shall be constructed prior to issuance of the first Non-RUP for the theatre uses (Parcel I). Both Festival Street and Festival Street Extended shall be constructed in general accordance with the cross-sections shown on the CDP/FDP.

8. **North Street.** North Street shall be constructed by the Applicant as a private street varying in width from a minimum of 22 feet to up to a maximum of 30 feet in width face of curb to face of curb with on-street parking provided at select locations as reflected on the CDP/FDP. Parking within the first four spaces located on the south side of North Street east of Eskridge Road will be prohibited during PM peak hours (4:00 to 7:00 p.m. weekdays) in order to facilitate right-turn traffic; the Applicant shall post signs in said area stating the aforesaid restrictions. That portion of North Street necessary for ingress and egress to Buildings E, F and/or G shall be constructed, prior to issuance of the first Non-RUP or RUP for the respective buildings which, at that time, have no other access except by way of North Street, in general accordance with the cross-sections on the CDP/FDP. The Applicant shall provide an interparcel access easement, including temporary grading and/or construction easements not to exceed 12 feet in width, along the eastern property line as depicted on the CDP/FDP to facilitate ultimate construction of a private street connection by others to extend North Street eastward.
9. **Yates Way Extended.** Subject to provision of the necessary right-of-way and/or easements by others and in reliance upon finalization of the preliminary approval granted by FCDOT and VDOT, the Applicant shall extend Yates Way off-site, from its ultimate terminus as built by Uniwest, to and including a right-in/right-out intersection with eastbound Route 29 in accordance with VDOT requirements. The Applicant shall substantially complete construction of such extension prior to the issuance of the first Non-RUP or RUP associated with Parcel B, if such rights-of-way and/or easements are made available to the Applicant by others; notwithstanding the aforesaid, should VDOT require an interim condition that is less than a full right-in/right-out intersection, then Applicant shall substantially complete construction of such extension and such interim condition to the extent permitted by VDOT prior to the issuance of the first Non-RUP or RUP associated with Parcel B, if such rights-of-way and/or easements are made available to the Applicant by others.
10. **Service Alleys.** The alleys parallel to the eastern and western property line of the Property, which provide service and access to the loading areas and parking structures

Height Limit: The maximum building height in this sub-unit is 40 feet. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section.

LAND UNIT F

Land Unit F is comprised of approximately 107 acres and is bounded by Gallows Road on the east, Route 29 on the north, Prosperity Avenue on the west, and Land Unit G on the south (see Figure 27). Existing development generally consists of retail uses in the eastern portion primarily along Gallows Road, industrial and office uses in the central portion, and the Merrifield Regional Post Office in the western portion of the Land Unit.

Most of Land Unit F, the portion east of the Merrifield Regional Post Office, is envisioned to redevelop as the “Town Center” for the Merrifield Suburban Center, with a mix of uses including office, retail, hotel, and residential uses. Buildings in the town center are envisioned to have retail and service uses located on the ground levels that are designed with a pedestrian orientation. Primary access points to the Town Center are envisioned to be at Merrilee Drive extension/realignment with Eskridge Road and Route 29, Gallows Road and Strawberry Lane, and Gallows Road and “Main Street/Festival Street”.

The major circulation improvements for this land unit include the extension of Eskridge Road to Williams Drive. Since Williams Drive connects with Route 50, this will complete the link from the Metro station through the “Town Center” to Route 50. Additional circulation improvements include aligning a Merrifield Regional Post Office entrance with the Dorr Avenue Extension to Route 29; the extension of Strawberry Lane west to connect with Eskridge Road; the movie theater access road extension south to connect with Williams Drive and/or Gatehouse Road (connecting with Gatehouse Road would require crossing Luther Jackson Intermediate School property); and an east/west road that connects Prosperity Avenue with Eskridge Road or Williams Drive. Within this area, at least one new road should function as the “Festival Street” as illustrated on Figure 28. The major arterial improvements include the widening of Route 29 and Gallows Road, and the planned improvements at the intersection of the two roads.

Guidance for evaluating development proposals is provided in the Area-Wide Recommendations under Land Use, Urban Design, Transportation, and Public Facilities/Infrastructure sections, as well as in the following specific sub-unit recommendations.

Sub-Units F1 and F2 (Town Center Area):

Sub-Unit F1 is the eastern portion of the Land Unit that is oriented to Gallows Road and is planned for community-serving retail up to .35 FAR. Additional freestanding single tenant uses and “drive-through” uses, such as fast-food restaurants and car washes, are discouraged because each may disrupt pedestrian access. 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 impede pedestrian access. In any new retail center, an office component could be provided, if it does not exceed .10 FAR (or approximately 30% of the development’s gross square feet), with any office component designed as an integral part of the retail center. Furthermore, any new retail center(s) should be designed in a manner that is consistent with the town center concept.

Sub-Unit F2 is the central portion of the Land Unit that is generally between the Post Office property and Sub-Unit F1. Sub-unit F2 is planned for and developed with industrial and office uses up to a .5 FAR, except for the portion of Tax Map 49-3((1))80A that is in Sub-Unit F2.

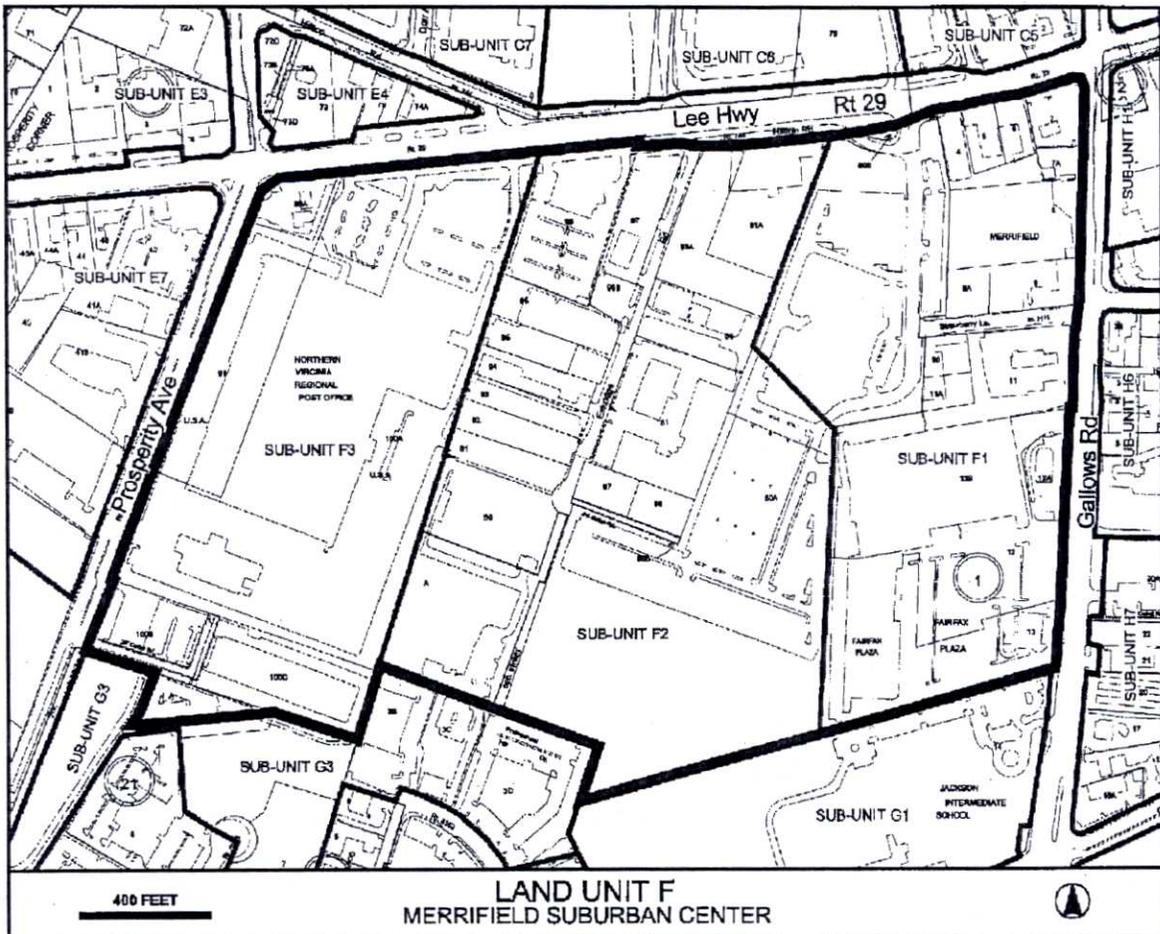


FIGURE 27

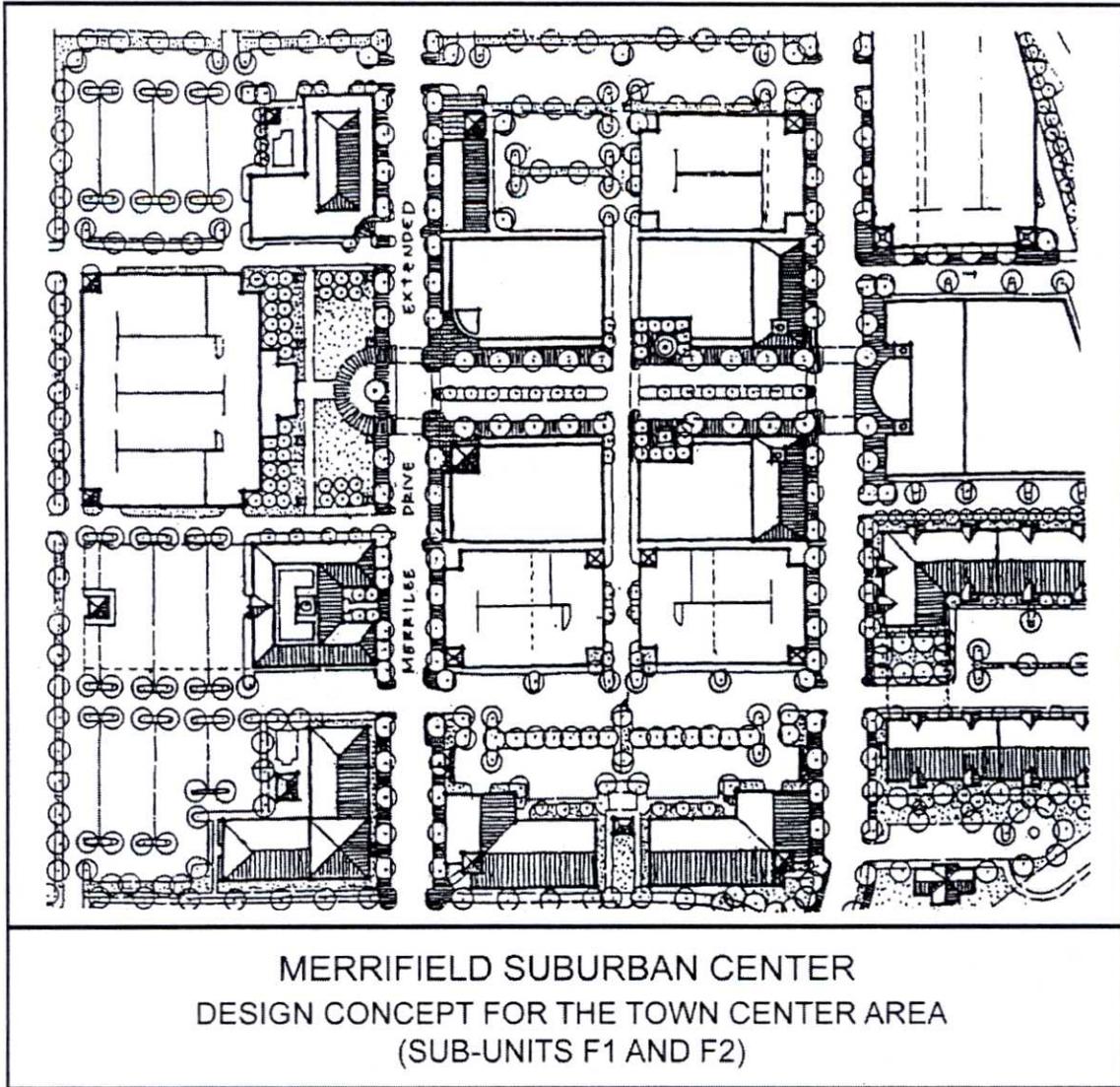


FIGURE 28

This portion of Parcel 80A could be developed with office or a new theater complex. Any new development should be designed in a manner consistent with the town center concept.

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. Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept. Also for any additional development at this base level on property in Sub-Units F1 and F2 abutting Sub-Unit G1, inter-parcel access between these sub-units should be considered and provided if needed to improve access to the school.

Option 1: As an option, in both Sub-units F1 and F2, redevelopment within these sub-units to office and retail up to .65 FAR may be appropriate if the redevelopment creates a component of the envisioned "Town Center." The retail component should comprise, at a minimum, 30% of the total development. Any development proposal under this option must address all applicable Area-Wide recommendations as well as the following guidelines.

- Consolidations of at least eight contiguous acres are encouraged. As an alternative, coordinated development plans with a combined land area of at least eight acres may be appropriate if the consolidation objectives are met. In any instance, it must be demonstrated that any unconsolidated parcels are able to develop in conformance with the Plan as described under the Land Use Guidelines in the Area-Wide Land Use section.
- Development proposals in these sub-units should provide for or contribute to road improvements as described in the Transportation Section of the Area-Wide recommendations. This area's recommended grid street system includes: the Eskridge Road extension south to Williams Drive and its realignment with Merrilee Drive to the north; the improvement of Strawberry Lane and its extension to Eskridge Road; the movie theater access road to connect with Williams Drive or Gatehouse Road. With the extension of the movie theater access road to either Williams Drive or Gatehouse Road, improvements to the intersection of Route 50/Williams Drive/Service Road should be made. Within this area, at least one road should function as the "Festival Street" that will have a concentration of retail and pedestrian activity (i.e., plazas, retail browsing areas and outdoor dining). See Figure 28 for an illustration of the grid system with the "Festival Street." Since a key transportation issue is the improvement of Eskridge Road and its realignment to Merrilee Drive, all development proposals under this option should contribute towards the Eskridge Road improvement in addition to providing other road improvements that improve circulation within this and adjacent areas as recommended in the Area-wide Transportation section.
- Development proposals should provide for inter-parcel access as well as other improvements that improve circulation within this and adjacent sub-units. For example, development proposals in Sub-Units F1 and F2 that abut Sub-Unit G1 should provide inter-parcel access to Sub-Unit G1 if needed to provide access to the school.
- Buildings should have retail and service uses located on the ground level that are designed to have a pedestrian orientation.
- Development should be designed with a pedestrian orientation, including open space amenities such as public plazas or greens as described under the Pedestrian and Transit Oriented Development Guidelines in the Urban Design section.

- Development should provide or contribute to the purchase of one to two acres of land for a public park within Sub-Units F1 and F2. This urban park should function as a public meeting and gathering place and should have a focal point such as a pavilion and/or fountain. As an alternative, this open space amenity could be a private facility if the space has public access and is available for public activities.
- Development should be designed with parking structures behind and/or under buildings.

Option 2: As an alternative to the office and retail option, mixed-uses with residential use and/or hotel use may be appropriate up to 1.2 FAR, if the redevelopment creates a component of the envisioned "Town Center." Development proposals should be in conformance with the Area-Wide Recommendations for alternative uses (see the Area-Wide Recommendations, Land Use Guidelines), and development proposals under this option must address the previous option's guidance, all applicable Area-Wide guidelines, as well as provide for the following:

- The alternative uses appropriate in this sub-unit are limited to residential, institutional, hotel, major entertainment uses, as well as retail and service uses. Only the portions of retail and service uses that exceed 20% of the total development's square footage are considered alternative uses as described under the Alternative Use Guidelines. Retail and service uses may comprise up to 35% of the development's square feet and may include employee amenities such as health clubs, day care and food services, all of which should be an integral part of the office, hotel and/or residential buildings.
- Major entertainment uses could include a "theater complex" and/or retail entertainment centers. These uses combined with retail and service uses should not exceed 55% of the development's total square footage.
- Institutional, cultural, recreational, and/or governmental uses are encouraged within the Town Center and should be provided consistent with the Area-Wide guidance.
- If residential development is proposed, affordable dwelling units should be provided on-site or as indicated under the Land Use Guidelines in the Area-Wide Land Use Section.
- Any proposed residential development should demonstrate that it is an integral component of the Town Center through design, architecture, materials, access and parking and should create a viable living environment by providing recreation and other amenities for the residents as indicated under the Land Use Section of the Area-Wide Recommendations.

Height Limit: Under the options, maximum building height is 95 feet when development is not integrated with structured parking. In order to encourage structured parking to be located under buildings, a height bonus of up to 20 feet (or a maximum height of 115 feet) is appropriate when at least 2 levels of structured parking are provided under the building, either at or below grade. The building height bonus should be contingent on increasing the amount of open space amenities. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section.

The following illustrative urban design plan shows an approach for creating a "sense of place" for the area south of Route 29 and west of Gallows Road, the new town center for the Merrifield Suburban Center (see Figure 28). The "sense of place" is provided through the creation of a "Festival Street," which could be anchored at one end by the town green and at the other by a multiple screen theater. The Festival Street has wide sidewalks and pedestrian plazas fronting retail shopping and restaurants on the lower floors of the office buildings. It should be designed

to foster both daytime and nighttime activity, reminiscent of the downtowns of earlier times and what has been achieved at other Town Centers such as the Reston Town Center. Residential areas are shown as ringing the southern boundary in this town center illustration. The purpose is to encourage more pedestrian activity by allowing people to live close to the town center's shops, restaurants, theaters, offices, and parks.

The wide variety of land uses shown in this illustration, are integrated through both landscape and architectural transitions. Buildings front and address the street with finished facades that create the feeling of a mixed-use downtown. With attractive facades, low- to mid-rise building heights, and comparable building masses, non-residential uses can face residential uses across the street with no adverse impact. Where parking decks are located along a street, they are designed to incorporate street level retail as a mask to the garage behind, providing an appropriate transition to other uses. In some locations, formally landscaped green spaces provide transitions between non-residential and residential uses.

Sub-Unit F3:

Sub-Unit F3 is the western portion of the land unit or the southeastern quadrant of Route 29 and Prosperity Avenue. The majority of this sub-unit is planned for and developed with governmental and institutional uses, primarily the Merrifield Regional Post Office. The exception is Parcel 49-3-((1)) 99A, which is planned for and developed with a service station, and the parcels immediately south of the postal facility [Parcels 49-3-((1)) 100B, 100C, and 49-3-((21)) A], which are planned and developed with industrial uses up to .5 FAR. 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, as well as provide for or contribute to the circulation improvements planned for this sub-unit. The planned circulation improvements within this area include: 1) aligning a post office entrance with the Dorr Avenue extension to Route 29; 2) to improve circulation within this area, consideration should be given to connecting the service drive located on the south side of Route 29 to Prosperity Avenue; and 3) the provision of an east/west road that extends along the northern boundary of Parcels 100B and 100C. This east/west road should provide access from or connect Eskridge Road to Prosperity Avenue.

Options: If access to the service station [Parcel 49-3-((1)) 99A] is impacted by the widening of Route 29 to the extent that the property is no longer appropriate for retail use, the parcel should be considered for an expansion of the Postal Facility, or as a park.

As an option, it may be appropriate for the Merrifield Post Office to expand southward to include Parcels 49-3-((1)) 100B, 100C, and 49-3-((21))A. If this expansion were proposed, circulation improvements as identified in the Transportation Section of the Area-Wide Recommendations should be provided.

Height Limit: The maximum building height in this sub-unit is 75 feet. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section.

LAND UNIT G

Land Unit G is approximately 78 acres and is bounded by Land Unit F on the north, Gallows Road on the east, Route 50 on the south, and Prosperity Avenue on the west (see Figure 29). Existing development within the eastern portion consists of the Luther Jackson Intermediate School and a restaurant park, with the western portion being developed with office uses.



County of Fairfax, Virginia

MEMORANDUM

DATE: August 17, 2010

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

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

FILE: 3-4 (RZ 2003-PR-009)

SUBJECT: Transportation Impact

REFERENCE: PCA 2003-PR-009; FDPA 2003-PR-009;
MTC Commercial LLC (Uniwest)
Traffic Zone: 1523
Land Identification Map: 49-4 ((17)) part of 2

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan dated August 4, 2010 and proposed proffers dated July 1, 2010.

The applicant proposes to revise a previously approved proffer # 10 (Interparcel Access) to improve street connectivity and land use access for the subject private street (Yates Way).

This department has reviewed the subject proffer and development plan and does not object to its approval.

KR/AK W:pca2003PR009MTCUniwest
CC: Michelle Brickner, Director, Design Review, DPW & ES

Fairfax County Department of Transportation
4050 Legato Road, Suite 400 Fairfax, Virginia,
22033-2895
phone: (703) 877-5600 TTY: (703) 877-5602
Fax: (703) 877 5723
www.fairfaxcounty.gov/fcdot





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

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

DAVID S. EKERN, P.E.
COMMISSIONER

RECEIVED
Department of Planning & Zoning
APR 15 2010
Zoning Evaluation Division

May 12, 2009

Ms. Robin Antonucci
Wells & Associates, LLC
9324 West Street, Suite 203B
Manassas, Virginia 20110

RE: RZ 2005-PR-041 Merrifield Town Center – Yates Way Access Exception

Dear Ms. Antonucci:

District staff has reviewed your Access Management Exception request dated March 20, 2009 and received on March 24, 2009. Your request for the Access Management Exception under 24 VAC 30-72-120 is approved subject to the following condition:

- Public Access Easements shall be provided along the Yates Way frontage to provide future access to the parcels east of this site, which current access Route 29 directly.

It is also our understanding that Fairfax County shall pursue and require interparcel access along the Becker and Bodner parcels if they are redeveloped or rezoned in the future and also pursue and require additional right-of-way and construction of dual eastbound right turn lanes at Gallows road with any future improvements to these properties.

If you have any questions, please contact Paul Kraucunas or Kevin Nelson at 703-383-2424 in the NOVA District Land Development Section.

Sincerely,

Morteza Salehi
District Administrator

cc: Paul Kraucunas
Kevin Nelson

FAIRFAX COUNTY ZONING ORDINANCE

PART 4 6-400 PRM PLANNED RESIDENTIAL MIXED USE DISTRICT**6-401 Purpose and Intent**

The PRM District is established to provide for high density, multiple family residential development, generally with a minimum density of 40 dwelling units per acre; for mixed use development consisting primarily of multiple family residential development, generally with a density of at least twenty (20) dwelling units per acre, with secondary office and/or other commercial uses. PRM Districts should be located in those limited areas where such high density residential or residential mixed use development is in accordance with the adopted comprehensive plan such as within areas delineated as Transit Station Areas, and Urban and Suburban Centers. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments, and to otherwise implement the stated purpose and intent of this Ordinance.

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

6-402 Principal Uses Permitted

The following principal uses shall be permitted subject to the approval of a final development plan prepared in accordance with the provisions of Article 16, and subject to the use limitations set forth in Sect. 406 below.

1. Dwellings, multiple family.
2. Public uses.

6-403 Secondary Uses Permitted

The following secondary uses shall be permitted only in a PRM District which contains one or more principal uses; only when such uses are presented on an approved final development plan prepared in accordance with the provisions of Article 16; and subject to the use limitations set forth in Sect. 406 below.

1. Accessory uses and home occupations as permitted by Article 10.
2. Affordable dwelling unit developments.
3. Automated teller machines.
4. Business service and supply service establishments.
5. Commercial and industrial uses of special impact (Category 5), limited to:
 - A. Fast food restaurants

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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