



# FAIRFAX COUNTY

APPLICATION FILED: March 8, 1999  
PLANNING COMMISSION: June 17, 1999  
BOARD OF SUPERVISORS: June 28, 1999

V I R G I N I A

# CRD

June 3, 1999

## STAFF REPORT

APPLICATION RZ 1999-DR-012/SE 99-D-015

### DRANESVILLE DISTRICT

<b>APPLICANT:</b>	Robert Frank Pence
<b>CURRENT ZONING:</b>	C-6, CR, HC, SC
<b>REQUESTED ZONING:</b>	C-3, CR, HC, SC
<b>PARCEL(S):</b>	30-2 ((1)) 17, 18
<b>ACREAGE:</b>	2.40 Acres
<b>FAR:</b>	1.0 (Hotel) 0.70 (Office)
<b>OPEN SPACE:</b>	15% (Hotel) 19% (1989 Office Development)
<b>PLAN MAP:</b>	Office
<b>PROPOSAL:</b>	To rezone 2.4 acres from the C-6 District to the C-3 District in order to permit development of an extended stay hotel with an eating establishment with a FAR of 1.0 or development of an office building at a FAR of 0.70.

Approval of a Category 5 special exception to permit construction of a five-story hotel with 150 rooms and an eating establishment.

Approval of a Category 6 special exception to permit a 20% parking reduction and a reduction in building setback, pursuant to the Commercial Revitalization District Ordinance.

**WAIVERS/MODIFICATIONS:**

Waiver of the service drive along Old Dominion Drive

Waiver of the trail requirement along Old Dominion Drive in favor of a sidewalk

**STAFF RECOMMENDATIONS:**

Staff recommends denial of RZ 1999-DR-012. However, should the Board approve RZ 1999-DR-012, staff recommends that it be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of SE 99-D-015. However, should the Board approve SE 99-D-015, staff recommends that it be subject to the proposed development conditions in Appendix 2.

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

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

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.



**SPECIAL EXCEPTION APPLICATION  
SE 99-D-015**

SE 99-D-015  
FILED 03/08/99

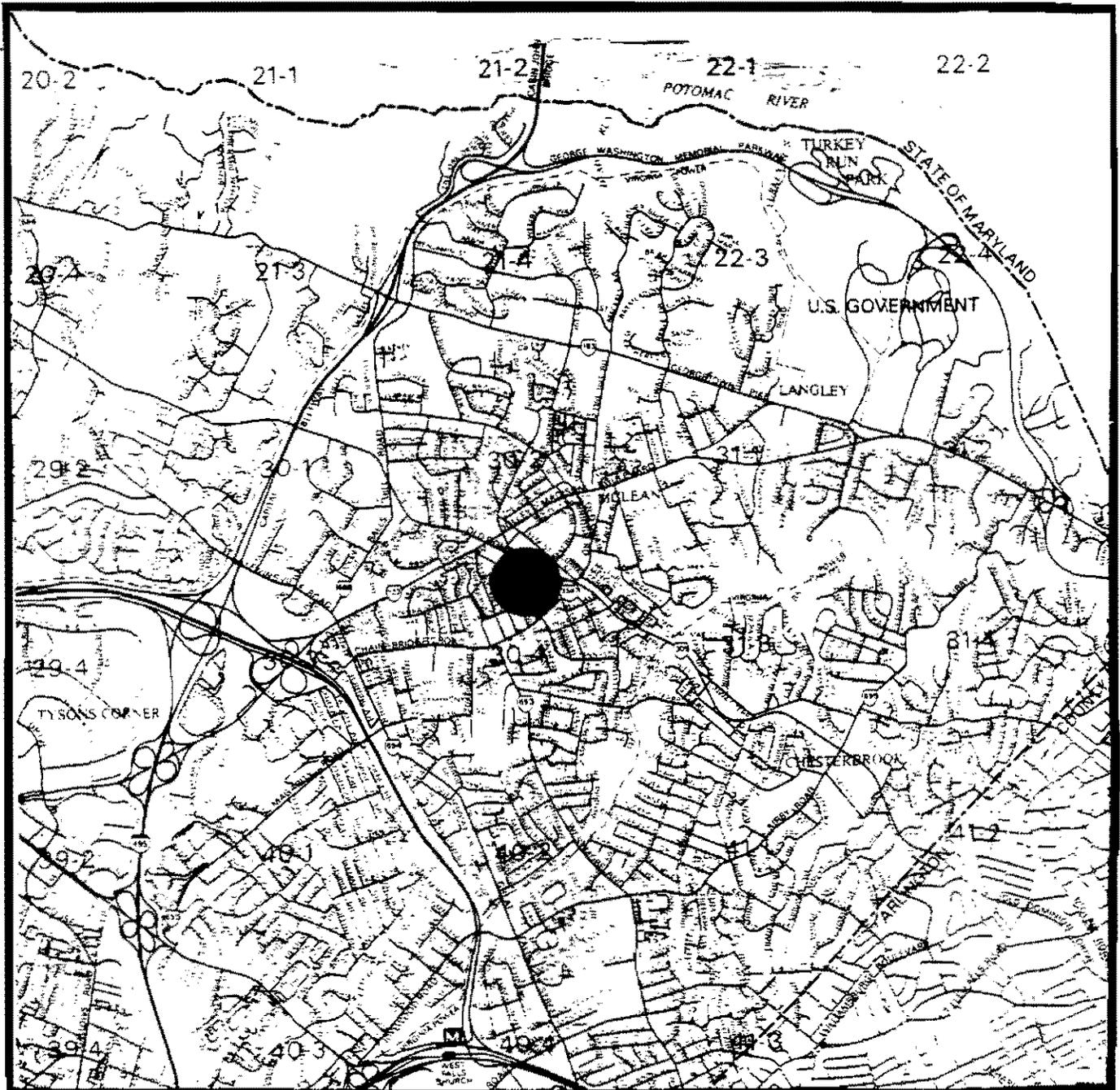
PENCE, ROBERT FRANK  
HOTEL AND MODIFICATION, WAIVERS, INCREASES  
AND USES IN COMMERCIAL REVITALIZATION DISTRICT  
ZONING DIST SECTION: 04-0304 09-0622  
ART 9 CATEGORY/USE: 05-14 08-19  
2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
LOCATED: 1400 BEVERLY ROAD, 6841 OLD DOMINION DRIVE

ZONED C-3 PLAN AREA 2  
OVERLAY DISTRICT(S): HC SC CR  
TAX MAP 030-2- /01/ /0017- ,0018-

**REZONING APPLICATION  
RZ 1999-DR-012**

FILED 03/08/99

ROBERT FRANK PENCE  
TO REZONE: 2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
PROPOSED: COMMERCIAL DEVELOPMENT  
LOCATED: SOUTHWEST QUADRANT OF THE INTERSECTION OF  
OLD DOMINION DR AND BEVERLY RD  
ZONING: C- 6  
TD: C- 3  
OVERLAY DISTRICT(S): CR HC SC  
MAP REF 030-2- /01/ /0017- ,0018-



# SPECIAL EXCEPTION APPLICATION

## SE 99-D-015

SE 99-D-015

FILED 03/08/99

PENCE, ROBERT FRANK  
HOTEL AND MODIFICATIONS, WAIVERS, INCREASES  
AND USES IN COMMERCIAL REVITALIZATION DISTRICT  
ZONING DISTRICT SECTION: 04-0304 09-0622  
ART 9 CATEGORY/USE: 05-14 06-19  
2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
LOCATED: 1400 BEVERLY ROAD, 6841 OLD DOMINION DRIVE

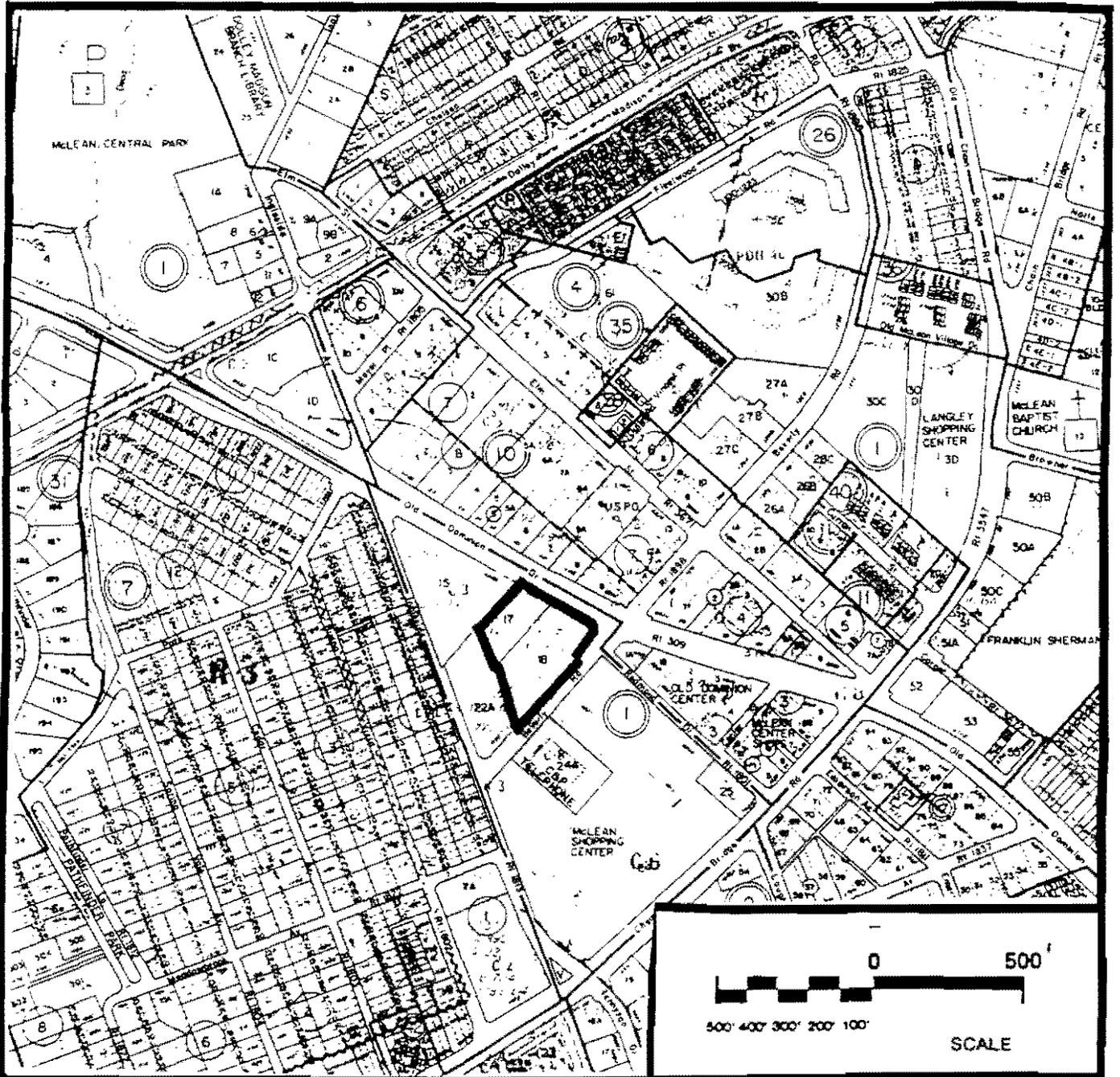
ZONED C-3 PLAN AREA 2  
OVERLAY DISTRICT(S): MC SC CR  
TAX MAP 030-2- /01/ /0017- .0018-

# REZONING APPLICATION

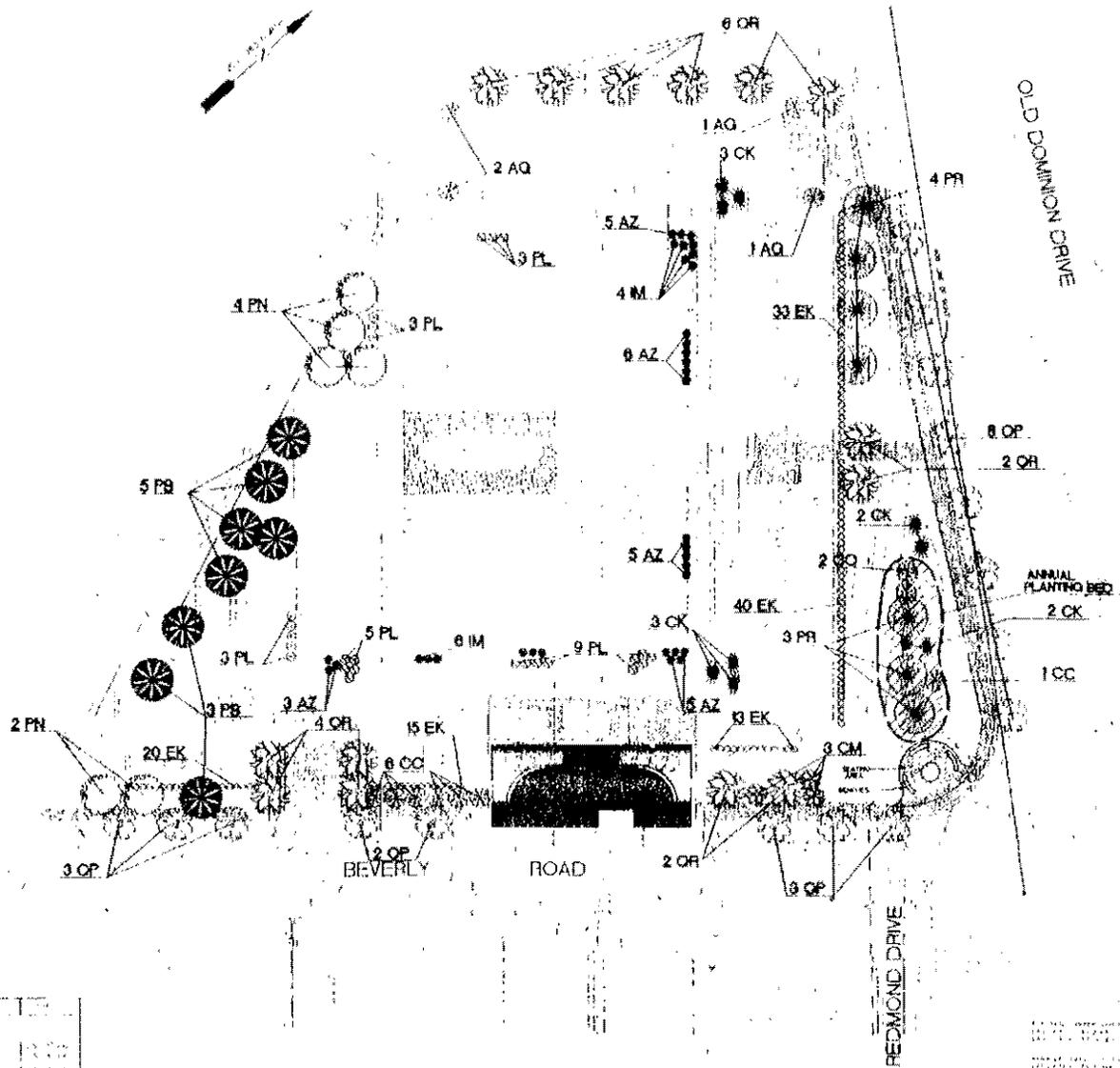
## RZ 1999-DR-012

FILED 03/08/99

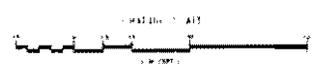
ROBERT FRANK PENCE  
TO REZONE: 2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
PROPOSED: COMMERCIAL DEVELOPMENT  
LOCATED: SOUTHWEST QUADRANT OF THE INTERSECTION OF  
OLD DOMINION DR AND BEVERLY RD  
ZONING: C-6  
TO: C-3  
OVERLAY DISTRICT(S): CR MC SC  
MAP REF 030-2- /01/ /0017- .0018-







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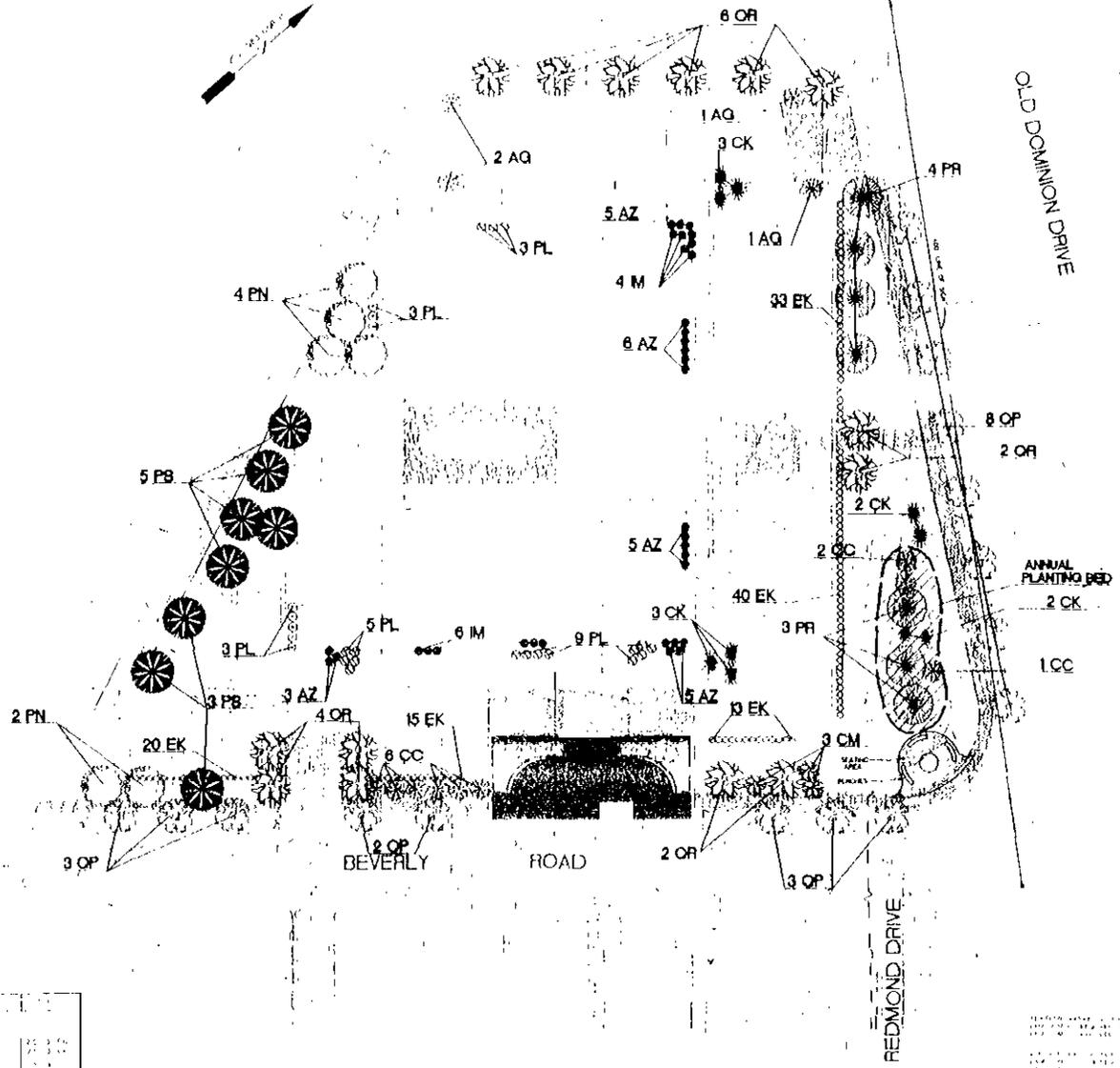
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SPECIAL EXCEPTION PLAN, LANDSCAPE PLAN  
**GRAND DUKE HOTEL, MCLEAN**  
 ESSEXVILLE DISTRICT  
 FARM, J. COUNTY, VIRGINIA

**THE ENGINEERING GROUP, INC.**  
 1100 GORSE ROAD, SUITE 100  
 ALEXANDRIA, VIRGINIA 22304  
 (703) 461-9999

DATE: 11/15/94  
 DRAWN BY: J. MCLEAN  
 CHECKED BY: J. MCLEAN  
 APPROVED BY: J. MCLEAN



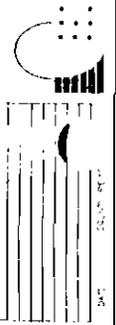


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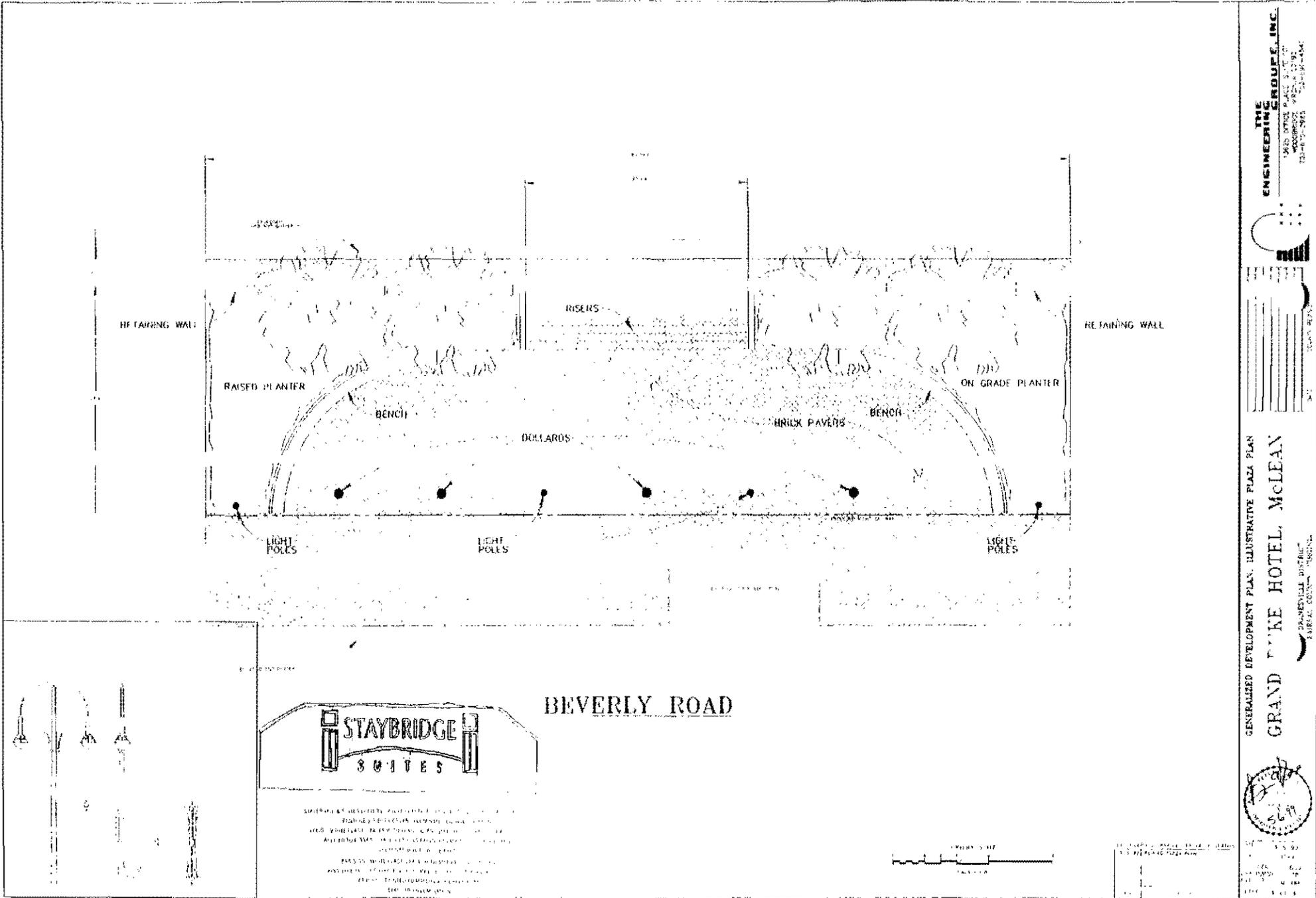
**THE ENGINEERING GROUP, INC.**  
 13025 OFFICE PLAZA, SUITE 100  
 FALLS CHURCH, VIRGINIA 22044  
 TEL: 703-271-0885 FAX: 703-271-4343



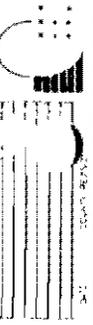
GENERALIZED DEVELOPMENT PLAN, LANDSCAPE PLAN  
**GRAND DUKE HOTEL, MCLEAN**  
 -ESVILLE DISTRICT  
 FA - A COUNTY VIRGINIA



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**THE ENGINEERING GROUP, INC.**  
 1400 OFFICE PLACE, S.W.  
 WASHINGTON, D.C. 20004  
 703-670-5953



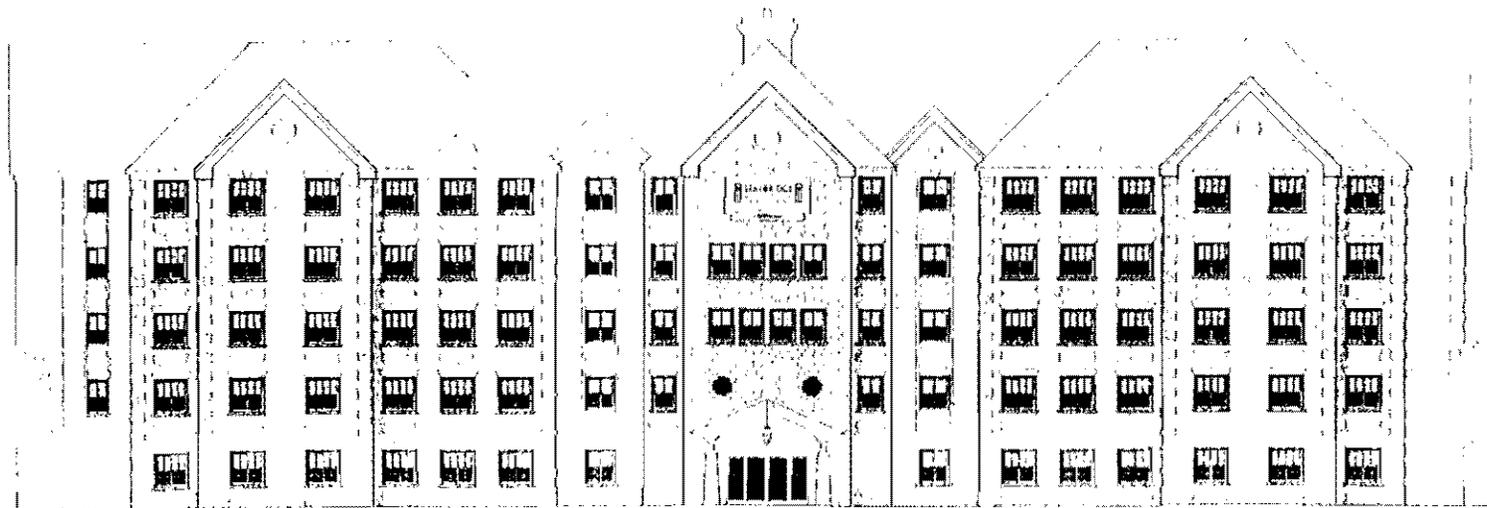
GENERALIZED DEVELOPMENT PLAN, ILLUSTRATIVE PLAZA PLAN  
**GRAND DUKE HOTEL, McLEAN**  
 PRINCETONVILLE DISTRICT  
 PUBLIC DEVELOPMENT BOARD



1400 OFFICE PLACE, S.W.  
 WASHINGTON, D.C. 20004  
 703-670-5953



BEVERLY ROAD - SIDE ELEVATION



OLD DOMINION DRIVE - FRONT ELEVATION

THE  
ENGINEERING  
GROUP, INC.

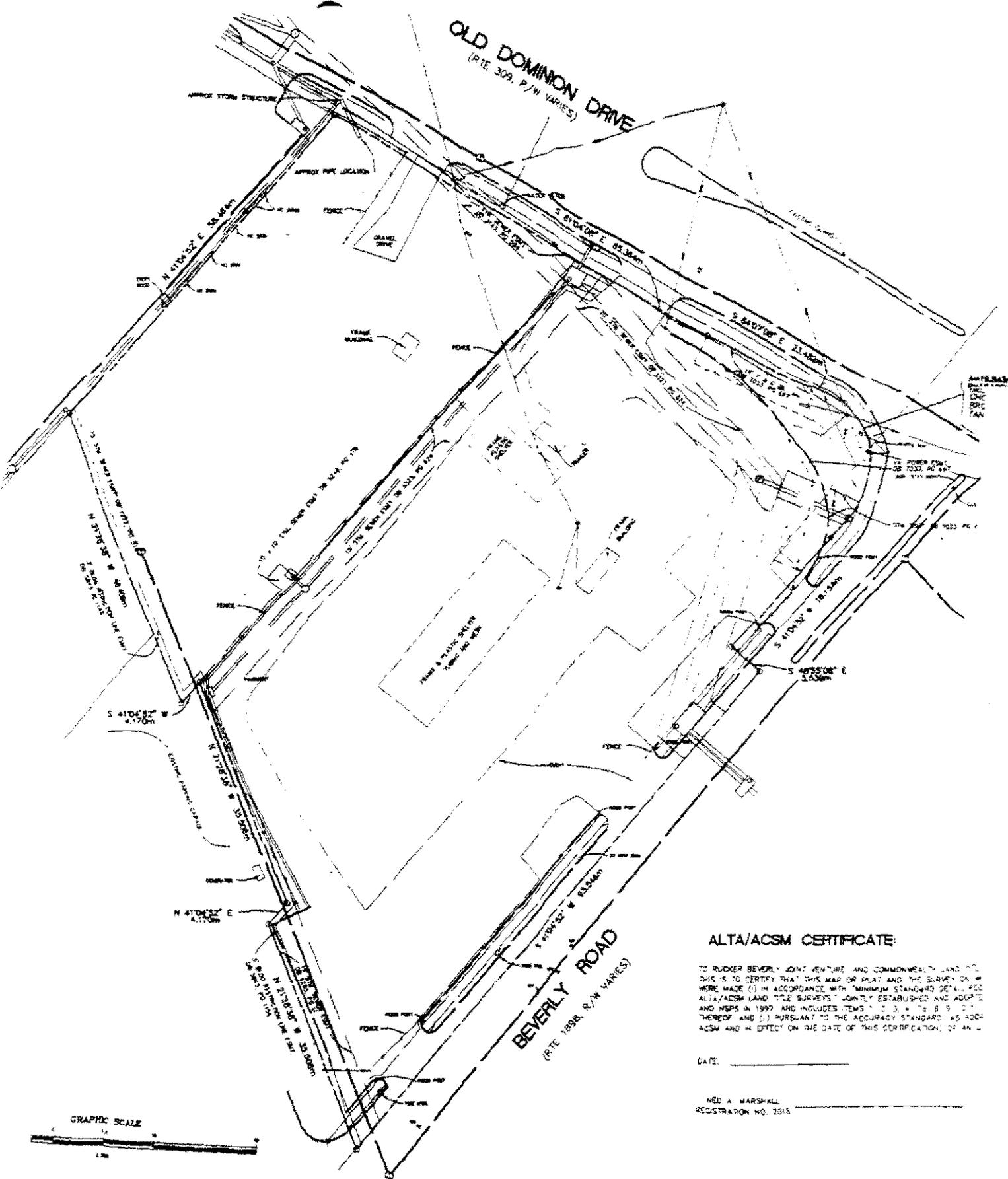
3827 BRIDGE PLAZA, S.W.  
WOODBRIDGE, VIRGINIA 22192  
703-575-9985 FAX 703-575-1146

ARCHITECT  
GRAND DUKE HOTEL, MCLEAN

DRAYNESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

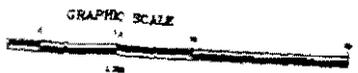


11/13/98



**OLD DOMINION DRIVE**  
(PTE 309, R/W VARIES)

**BEVERLY ROAD**  
(PTE 1898, R/W VARIES)



**ALTA/ACSM CERTIFICATE**

TO RUCKER BEVERLY JOINT VENTURE AND COMMONWEALTH LAND CO., THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD REGULATIONS ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED AND NSPS IN 1997 AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 THEREOF AND (2) PURSUANT TO THE ACCURACY STANDARDS AS REQUIRED BY ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION OF AN ALTA/ACSM SURVEY.

DATE: \_\_\_\_\_

HED A. MARSHALL  
REGISTRATION NO. 2015 \_\_\_\_\_

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

**DESCRIPTION OF THE APPLICATION**

The applicant, Robert Frank Pence, has filed two (2) concurrent applications, RZ 1999-DR-012 and SE 99-D-015, on a 2.40 acre site located in the Commercial Revitalization District (CRD) of McLean. The applicant seeks approval to develop either an extended stay hotel with an accessory eating establishment or an office use with ground floor retail and banking facilities which would be constructed to be in substantial conformance with a proffered development plan which was approved in 1989. The applications are described in detail as follows.

**RZ 1999-DR-012**

**Proposal:**

Rezone 2.40 acres from the C-6 (Community Retail Commercial) District to the C-3 (Office) District in order to permit the development of a five-story 150 room extended stay hotel on a site previously approved for the development of a 75,312 square foot three (3) story office building with retail, restaurant, and financial institution uses on the first floor with a FAR of 0.70. The gross floor area proposed for the hotel is 104,413 square feet, at a proposed FAR of 1.0. A total of 15% open space is provided for the hotel use. One (1) level of underground parking is provided.

The applicant also proposes two office options: an option to develop the proffered development plan for an office building with ground floor retail and banking facilities which was approved pursuant to the Board's approval of RZ 85-D-039, which rezoned the subject site to the C-6 District in 1989 with a FAR of 0.70. This option is proposed despite the fact that the current rezoning application requests a rezoning to the C-3 District and the applicant has not submitted an updated GDP for the office option to reflect that change in zoning. In addition, the applicant has also proposed a proffer which would permit, subsequent to development of the hotel with a 1.00 FAR, its conversion to office use with a FAR of 0.70. No details regarding how the proposed conversion could occur have been provided with this application.

**SE 99-D-015**

**Proposal:** Approval of a Category 5 Special Exception in the C-3 District to permit an extended stay hotel with a maximum of 150 rooms and an eating establishment with a maximum of 80 seats which may be open to the public.

Approval of a Category 6 Special Exception in the Commercial Revitalization District (CRD) to permit a 20% parking reduction and a reduction in the rear yard setback from 25 feet to 18 feet.

**Acres:** 2.40 Acres

**FAR:** 1.00 for Hotel  
0.70 for Office

**Open Space** 15% for Hotel  
19% for Office (1989)

**Waivers/Modifications** Waiver of the service drive along Old Dominion Drive.

Waiver of the trail requirement along Old Dominion Drive in favor of a sidewalk.

The applicant's Draft Proffers, Staff Proposed Development Conditions for the Hotel, Affidavits, and the Applicant's Statement of Justification are contained in Appendices 1, 2, 3, and 4, respectively. Copies of the proffers and approved development plan for RZ 85-D-039 are contained in Appendix 5.

A hotel is a Category 5 Special Exception use in the C-3 District. The applicant's requested 20% parking reduction and modification of the rear yard requirement are Category 6 Special Exception uses in the Commercial Revitalization District (CRD). Copies of applicable Zoning Ordinance provisions are contained in Appendix 13.

**LOCATION AND CHARACTER**

**Site Description:**

**Existing Use:** Undeveloped. Currently used for retail sale of nursery products from temporary shelters.

**Surrounding Area Description:**

Direction	Use	Zoning	Plan
North	Office, Post Office	C-6	Office
South	Office	C-6	Office
East	Retail	C-6	Retail
West	Office	C-6	Office

**BACKGROUND**

**Site History:**

On February 13, 1989, the Board of Supervisors approved RZ 85-D-039 which rezoned the subject property (Parcels 16 and 17) from the C-2 and the C-6 Districts to the C-6 District to permit development of a three-story office building with ground floor retail uses and a drive-in bank at a FAR of 0.70. A concurrent Special Exception SE 88-D-059 was also approved to permit development of the drive-in bank. The Special Exception has since expired. A reduction of the approved development plan and the proffers are contained in Appendix 5. The proffered development plan shows a three-story office building with one level of underground parking. A pedestrian plaza with benches is located along the Old Dominion Drive frontage and at the intersection of Old Dominion Drive and Beverly Road. With the exception of this plaza area which extends from the front of the building to the right-of-way, the remainder of the site is primarily utilized for surface parking and travel aisles. According to the tabulations, 113 surface and 191 underground parking spaces are provided. The third sheet of the proffered GDP/SE Plat shows a "conceptual sketch" of the proposed building with a note which states that "plans and elevations shown are conceptual in nature and as such are subject to change during design development of the project."

On March 4, 1996, the applicant, George H. Rucker, filed an application for a proffered condition amendment on the subject site to permit development of a pharmacy with a drive-through window. The application was dismissed prior to publication of a staff report for failure of the applicant to prosecute.

On April 27, 1998, the Board of Supervisors adopted Out-of-Turn Plan Amendment 97-CW-3CP which amended the entire McLean Community Business Center portion of the 1991 Area II Plan and added extensive land use and design guidelines for this area. The subject property is located within the McLean CBC and is, therefore, subject to the revised Plan recommendations.

On July 30, 1998, PCA 85-P-038-2 and concurrent SE 98-D-039 were filed by Extended Stay America which sought approval to develop an extended stay hotel at a 0.70 FAR on the subject site. On October 22, 1998, the applicant requested that the application be deferred indefinitely. The application was deferred prior to publication of a staff report.

On October 12, 1998, the Board of Supervisors amended the Zoning Ordinance to create five (5) Commercial Revitalization Districts within Fairfax County to encourage economic development by providing more flexibility within certain zoning regulations and by having urban design standards. The subject property is located within the McLean Commercial Revitalization District (CRD).

## **COMPREHENSIVE PLAN PROVISIONS (Appendix 6)**

**Plan Area:** Area II

**Planning District:** McLean Planning District

On April 27, 1998 the Board of Supervisors adopted Out-of-Turn Plan Amendment 97-CW-3CP (#95-30), which amended the entire McLean Community Business Center portion of the 1991 Area II Plan. All page references are to the Plan Amendment text of #95-30.

### **Plan Text:**

On page 44, the MCLEAN CBC SUBAREA GUIDELINES, subarea #22, the Plan states:

#### **"Land Use Objective**

Mixed-use with ground floor retail. Intensity above .70 is permitted in Subblock A, if mixed-use development includes such uses as an extended-stay inn or hotel and is designed as a focal point for the northern end of "Main Street" in a manner that is compatible with the adjacent properties in terms of scale and character. Building heights of four and five stories is appropriate."

On pages 10 and 11, LAND USE RECOMMENDATIONS, the Comprehensive Plan states:

"Redevelopment Areas

• • •

3. The southeastern corner of the block defined by Old Dominion Drive, Beverly Road and Ingleside Avenue (Subarea 22a) should act as the northernmost anchor for the proposed "South Village," incorporating an extended-stay inn, hotel, or other mixed use that will serve the local residents and businesses of McLean and act as an after-work hours activity generator. In addition, this development should have four to five stories in order to establish the visual and spatial terminus to "Main Street," and include a public plaza and main entrance facing Beverly Road. The building should include ground floor restaurants and shops."

On page 44, the MCLEAN CBC SUBAREA GUIDELINES, subarea #22, the Plan states:

**"Building Envelope Guidelines (Subarea #22A):** Special Place type C. Building entrances oriented toward Beverly Road and Old Dominion Drive; service and parking entrances from Beverly Road. Any new development should be compatible with adjacent existing and planned development in terms of scale and character."

**Plan Map:** Office

Additional Plan text can be found in the Land Use Analysis in Appendix 6.

## ANALYSIS

The applicant has submitted a separate Generalized Development Plan (GDP) and a Special Exception (SE) Plat which are described below.

### **Generalized Development Plan (GDP)**

**Title of GDP:** Grand Duke Hotel, McLean

**Prepared By:** The Engineering Groupe, Inc.

**Dated:** February 25, 1999

**Revised:** May 3, 1999 (Sheets 1-3)  
April 5, 1999 (Sheet 4)

**Special Exception Plat (SE Plat)**

**Title of SE Plat:** Grand Duke Hotel, McLean  
**Prepared By:** The Engineering Groupe, Inc.  
**Dated:** February 25, 1999  
**Revised:** May 3, 1999

**Description of the Generalized Development Plan and Special Exception Plat:**

The Generalized Development Plan consists of four (4) sheets. The Special Exception Plat consists of two (2) sheets. With the exception of the labels, Sheets 1 and 2 of the GDP and SE Plat are identical.

Sheet 1 of the GDP and SE Plat contains notes and tabulations and the proposed site layout.

Despite the notes and tabulations requesting a hotel, Note 2 states, in part, that "It is to be understood that the following uses may be established on the property in accordance with Section 4-300 of the Zoning Ordinance: hotel (subject to special exception approval), office, accessory uses and accessory service uses, eating establishments within a building of 100,000 square feet or more, financial institutions, and other uses permitted by Section 4-303 and 4-304, subject to appropriate approvals before establishment of such uses. Parking will be provided in accordance with Article 11 of the Zoning Ordinance as modified by the Commercial Revitalization District Ordinance regulations, if applicable."

The proposed development plan depicts a five-story (60 feet) hotel on the 2.4 acre site. The building is U-shaped with the open side facing south. Within the "U" is shown a swimming pool and sports court for hotel guests. The hotel is oriented toward Old Dominion Drive, with an entrance located on that side of the building which may be covered by a canopy. The main vehicular entrance is located on Old Dominion Drive on the western side of the site. A second entrance is located on Beverly Road. All existing entrances on Beverly Road are proposed to be closed.

Brick pavers are proposed along Old Dominion Drive and Beverly Road as follows:

- the vehicular entrance from Old Dominion Drive is constructed of pavers
- a 7.5 foot wide brick paver sidewalk extends from the proposed entrance along the Old Dominion Drive frontage to its intersection with Beverly Road and along Beverly Road to a proposed plaza

- a corner feature consisting of brick pavers in a circular pattern with benches is provided at the intersection
- a plaza constructed of brick pavers is provided between the proposed hotel and the Beverly Road right-of-way. An entrance to the hotel is located at the plaza which may be covered by a canopy. Further details of the plaza design are provided on Sheet 3 of the GDP. According to the applicant's draft proffers, the plaza area shall be privately owned and maintained by the applicant, although the McLean CBC Plan envisions the plaza as a place for the public to gather and as an after hours activity generator. The applicant has declined to include a proffer that specifies how/when the plaza will be available to the public.
- a 5 foot wide brick paver sidewalk extends along Beverly Road from the plaza to the site's boundary with Parcel 22A
- the applicant has submitted a draft proffer which states that the applicant shall escrow \$27,360.00 to DPWES at the time of site plan approval for construction by others of a brick paver "crosswalk" across Beverly Road, within VDOT right-of-way, in conformance with the design guidelines for the McLean Central Business Center. However, the proffer states that if the crosswalk has not been constructed by others "within 18 months of the aforesaid escrow deposit by Applicant, the escrow shall be released to Applicant by DPWES." The 18 month limitation is not realistic and should be extended or deleted from the proffer. The crosswalk is supposed to provide a connection from the new "main street" across Beverly Road to the hotel site; however, the new "main street" will not exist until future construction is completed on the shopping center across Beverly Road.
- the vehicular entrance from Beverly Road is constructed of pavers

A 5 foot wide planting strip is provided between the sidewalk and right-of-way along both street frontages

A total of 15% open space is required and provided.

A total of 187 parking spaces are required for the hotel and eating establishment uses. With the 20% parking reduction requested, pursuant to the Commercial Revitalization District Ordinance, 150 parking spaces are provided. Note 37 indicates that a waiver of the service drive is requested as alternate access is being provided through the site.

An enclosed dumpster pad is shown along the western site boundary in the southwestern portion of the site with a note which states "Subject to abandonment of existing sanitary sewer and vacation of existing sanitary sewer easement." This note needs to be clarified to ensure that an enclosed dumpster pad is provided on this site, as shown, or in an alternate location.

**Sheet 2** of the GDP and SE Plat contains the Landscape Plan.

The applicant's draft proffers state that "Landscaping and streetscaping shall be provided in substantial conformance with the location, quality and quantity of plantings depicted on Sheets 2 and 3 of the GDP . . . . If, during the process of site plan review, any landscaping shown on the GDP is removed or moved to locate utility lines, as determined necessary by DPWES, an area of additional landscaping of equivalent value may be substituted at another location or locations on the property . . . . If utility easements or line of sight issues preclude the planting of trees as depicted at the corner feature/amenity area of Beverly Road and Old Dominion Drive (i), the trees depicted in the corner feature/amenity area will be relocated to Old Dominion Drive and planted in clusters at even intervals, and (ii) the corner feature/amenity area will be landscaped with combination of low growing shrubs and flower beds . . . ."

The landscaping depicted on the development plan consists primarily of planting areas along the street frontages to conform with the design guidelines of the McLean CBC Plan. Along Old Dominion Drive, Willow Oak trees are proposed to be planted in a 5 foot wide planting strip located between the sidewalk and the right-of-way. In addition, two Red Oak trees and four Redspire Pear trees are depicted in front of the parking lot and along the sidewalk into the site along Old Dominion Drive. A euonymus hedge is proposed along the Old Dominion side of the site to screen surface parking spaces. Just west of the intersection of Old Dominion Drive with Beverly Road, an annual planting bed with three Redspire Pear trees and dogwood and redbud trees is shown. Along Old Dominion Drive and at the intersection are located numerous utility easements. In addition to the utility easements, a 400 foot VDOT sight line easement runs along the Old Dominion Drive frontage which affects tree placement along the road and near the intersection. The applicant has placed three notes on Sheet 2 which, in summary, allow the landscape plan to change at final site plan submission due to existing easements. Note 2 states that "Landscaping in line-of-sight for sight distance is to be provided if approval is obtained from VDOT and DPWES at time of site plan submission." Note 3 states that "Landscaping shown may be relocated from where shown due to constraints imposed by the holders of existing easements on this site. However, the quantity and quality of the landscaping is not to be diminished by the relocation of landscaping material and is to be in substantial conformance with 'Landscaping, Streetscaping, and Plaza' proffer."

Landscaping along Beverly Road is also oriented toward the street and consists of Willow Oak trees in the planting strip between the sidewalk and the right-of-way and Red Oak trees inside the sidewalk. The Red Oak tree nearest the plaza on Beverly Road is located within the storm sewer easement and must be relocated. Dogwood and redbud trees are proposed inside the sidewalk on either side of the plaza. Adjacent to Parcel 22A which is developed with an office, Austrian and Scotch pine trees are proposed. Foundation plantings consisting of azaleas, laurel,

and hollies are proposed around the building. Tabulations indicate that peripheral and interior parking lot landscaping requirements will be met.

**Sheet 3** of the GDP contains the plan for the Plaza along Beverly Road and signage and lighting details. The proposed plaza is approximately 90 feet in width and 37 feet deep and is located between the hotel entrance and driveway and Beverly Road. Approximately 11 feet of the plaza depicted is located within proposed right-of-way. The plaza is an area intended by the Comprehensive Plan to be used by the public as an after hours activity generator and as a critical terminus for the proposed new "main street" which will be developed in the McLean Shopping Center which is located opposite the site, across Beverly Road. The Land Use Addendum notes that, with either the hotel or an office, the applicant would need to provide assurances that the public assembly area (plaza) would be available to the public and that the developer would be responsible for its maintenance. The applicant has stated that the proposed plaza is "private" but could be used to some extent by the public. Staff had originally requested the applicant to commit to record a public access easement on the plaza; however, the applicant is not willing to do this. Staff has, therefore, requested a proffer which clearly states the terms and conditions for the public's use of the plaza. Absent that proffer, staff has proposed a development condition which requires the applicant to record a public access easement on the plaza to insure that it will be open to the public. However, the development condition would only govern if the proposed hotel is developed and would not ensure that the plaza remain public if another use is developed. The "main street" does not currently exist; however, renovations in the shopping center are currently taking place and the "main street" is planned for a future phase of the construction. The applicant has proffered to provide \$27,360.00 to DPWES at the time of final site plan approval for construction of a brick/paver crosswalk across Beverly Road, within VDOT right-of-way to connect the plaza with the new "main street". If the crosswalk is not constructed within 18 months following the applicant's escrow deposit, the escrow shall be released to the applicant. As stated previously, this 18 month time limit is not realistic and should be deleted. The plaza is shown constructed with brick pavers with planters and benches flanking each side of risers leading to the hotel entrance area. Light poles and bollards are located along the edge of the right-of-way on the hotel property. A sign for Staybridge Suites is detailed on this sheet; however, there are no dimensions shown and no location specified.

**Sheet 4** of the GDP shows the Old Dominion and Beverly Road elevations of the proposed hotel. Both facades contain entrances to the building with a building mounted sign above each entrance. The hotel is depicted as a five-story hotel constructed of primarily brick with stone accents with a pitched roof. No details of building materials or colors are provided on this sheet; however, the applicant's draft proffer states that the "The hotel structure shall be of an architectural style and quality comparable to the elevations on Sheet 4 of the GDP. Brick portions of the

building facade shall be predominantly earth-toned red brick ("Virginia Brick"). Staff has proposed a development condition which requires the hotel to be constructed with brick similar to that used in the Riggs Bank which reflects the agreement between the applicant and the McLean Planning Committee (see the motion attached to the applicant's Statement of Justification).

#### **Land Use Analysis (Appendix 6)**

The complete Land Use Analysis, dated May 17, 1999, and an Addendum, dated May 20, 1999, are contained in Appendix 6 of this report.

The subject site is located in the southeast quadrant of the intersection of Old Dominion Drive and Beverly Road in the McLean Community Business Center (CBC) and is planned for office. An Out-of-Turn Plan Amendment was approved by the Board of Supervisors on April 27, 1998, which amended the entire McLean CBC portion of the 1991 Area II plan. The subject site is located in Subarea #22. As noted in the Plan citations which are included in the Land Use Analysis, an extended stay hotel with a ground floor eating establishment is one of the land use options recommended in the Plan for this site. According to the Plan, a FAR above 0.70 is permitted if an extended stay hotel is a proposed use. In addition, providing the plaza opposite the future Redmond Drive "Main Street" helps to justify the requested FAR of 1.00. The proposed five-story hotel is consistent with the Plan recommended building height of four and five stories. According to the Land Use Analysis, the entrance orientation of the hotel which provides one entrance from Old Dominion Drive and a secondary entrance on Beverly Road complies with the Plan's intent stated in Building Envelope Guidelines for Subarea #22A.

The Plan also contains a list of nine (9) elements which should be addressed to exceed a FAR above the base level which is generally 0.35 or 0.70 for Subarea #22A. According to the Land Use Analysis, the proposal for the hotel generally satisfies the nine elements/criteria specified to achieve a FAR above 0.70. The nine (9) elements are listed on pages 4 and 5 of the Land Use Analysis. Comments on certain of the criteria follow.

Criteria #3 states that "Open space and public areas are provided per the McLean CBC Design Standards". It is suggested that a water feature be provided in the public area (plaza), as recommended in the concept diagram on page 11 of the Public Space Design Standard S, C. Special Place-Mid Block. Other options could be an outdoor sculpture or a distinctive planter, or a combination of the two. Creating a special design treatment in the center of this plaza is important because the size of the proposed plaza is barely adequate for a public assembly function. According to the Special Place-Mid Block recommendations, a mid-block special place should be a plaza area that is designed as a dramatic terminal point for a major pedestrian concourse. The open space area or plaza should have architectural embellishments, planting and seating with distinctive paving and

include shade and/or ornamental trees. The plaza is proposed in the Plan as a gathering place and an activity generator. The applicant's proposed plaza is lacking in its provision of the recommended embellishments and, as discussed earlier, no specific commitment to the public use of the plaza has been made by the applicant. The proposed plaza provides benches and planters; however, no plant legend is provided so it is not clear what will be planted. There are no other "architectural embellishments". According to the applicant, he intends to submit a revised and improved plan for the plaza. In staff's analysis, major improvements are needed in the plaza if it is to meet the spirit and intent of the Plan.

Criteria #7 requires urban design features and focal points to be provided, such as those described in the McLean CBC Design Standards and in the Urban Design section. To address this criteria, the applicant proposes a public plaza along Beverly Road which is discussed in the preceding paragraph and is, in staff's opinion, lacking in certain elements recommended in the Plan. A corner feature, including benches and special plantings, is provided at the intersection of Old Dominion Drive and Beverly Road; the corner feature conforms with the Plan's intent.

Criteria #8 requires pedestrian oriented public space and enhanced circulation within and through the site. This criteria is generally met; however, additional pedestrian crosswalks should be provided for pedestrians from the driveways on Old Dominion Drive and Beverly Road to the building and improvements to the plaza design are needed.

There is also specific Plan text in the McLean Central Business Center (CBC) Open Space Design Standards governing this site. The Plan states "... Enhancing image, animating facade, creating networks of space, providing upgraded streetscapes, enhancing view corridors, and improving architectural design by achieving compatible building styles and designs are some of the general design principles ..." The proposed development generally conforms with the intent of the above text. The applicant's proposed design will improve the appearance of an unattractive intersection. The design of the hotel with the building set back from the street avoids blank walls next to pedestrian areas. The proposed hotel design will provide a rooftop with visual interest that is integrated with the overall architecture of the building. The design is compatible with nearby, recently constructed buildings. The applicant has committed to utilize earth-toned red brick in the hotel construction. The streetscape will be improved with this proposed development.

The Public Space Design Standards for retail uses apply to this site because surface parking between the building and the sidewalk is proposed. All of the criteria for this type design are generally satisfied; however, the shade trees shown on either side of the corner feature should be relocated inside the sidewalk out of

the sight distance easement. In addition, the Plan calls for benches at the entrances to the building and bulb and perennial plantings which are not shown on the applicant's development plan. Staff has proposed development conditions to require benches and the bulb and perennial plantings, as recommended in the Plan.

The McLean Central Business Center (CBC) Open Space Design Standards, Public Space Design Standards contain lighting standards which apply to this site. According to the Land Use Analysis, additional details on location, size, and orientation of light fixtures should be provided. Sheet 4 of the applicant's GDP shows some lighting details which are consistent with that shown on page 53 of Appendix 7 of the McLean Plan; however, no information is given regarding where the applicant proposes to use them, with the exception of in the plaza on Beverly Road.

The Land Use Analysis Addendum notes that the applicant's proposal to have the option to develop the mixed use office which was previously approved is not acceptable. The office plan was approved prior to the current McLean CBC Plan which contains extensive urban design guidelines. The previously approved plan does not comply with the urban design guidelines. Streetscaping is not adequate and the mid-block feature which serves as the visual terminus of the "main street" is not provided.

Staff has long been concerned about the applicant's landscaping proposal along Old Dominion Drive and at the intersection because of the existing utility easements and the VDOT sight line. The applicant's notes and proffers attempt to address the issue by proposing to relocate some of the plantings shown to other locations if easements preclude planting as shown. Trees proposed to be located in the sight line would not be planted unless approved by VDOT. It is staff's position that the landscaping depicted on the GDP should be realistic and take into consideration all known site constraints. There may not be alternate locations on the site to which the plantings can be relocated and the Plan emphasizes plantings along the streets. At the request of staff, the applicant submitted an exhibit showing all of the easements on the site. The exhibit, labelled Exhibit 1 is attached behind the reductions of the GDP and SE Plat at the front of the report. Since the applicant did not provide requested information about permitted planting in the various easements, staff consulted with representatives from the Department of Public Works Maintenance and Construction Division, the Site Review Branch of DPWES, and the Urban Forestry Branch of DPWES to determine how much of the applicant's proposed landscaping would be permitted at the time of site plan approval. It was determined that none of the Willow Oak trees proposed along Old Dominion Drive could be planted as shown because of the VDOT sight distance easements. With the applicant's Note 2 on the Landscape Plan, these trees would not be required. In addition, the presence of a storm sewer easement along both

Old Dominion Drive and a portion of Beverly Road preclude the planting of two (2) Willow Oak trees proposed to flank the sidewalk leading from Old Dominion Drive to the hotel entrance and two sections of hedge in front of the parking lot adjacent to the intersection. One possible solution to this problem involves shifting the proposed sidewalk along Old Dominion Drive further into the site to increase the width of the planting strip between the street and the sidewalk so the trees can be relocated out of the sight distance area. This approach would move the sidewalk out of the right-of-way which would require a public access easement and a maintenance agreement with VDOT. VDOT has verbally agreed to maintain the proposed 7.5 foot wide brick paver sidewalk if it is located within a public access easement; however, the commitment will not be put into writing until VDOT has seen a revised plan. The applicant is currently developing a revised landscape plan to address the issue. As submitted, the applicant's landscape plan does not address Plan guidelines and misrepresents the amount of landscaping that would actually be planted along Old Dominion Drive.

In summary, the proposed hotel generally conforms with the adopted Plan for the McLean Community Business Center. The proposed use, intensity, and building height are consistent with the intent of the Plan for this site. Proposed landscaping does not conform with that called for in the Plan because a substantial amount of the landscaping proposed along Old Dominion Drive is located in a VDOT sight line where it will not be approved. The proposed plaza falls short of fully conforming with the Plan but additional design details are expected to be submitted. At this time, staff is expecting to receive a revised landscape plan from the applicant which addresses this issue. Such a revision, if received, will be discussed in an addendum to this report.

As discussed in the Addendum to the Land Use Analysis, the applicant's proposed office development which has been proffered to conform with the office plan approved in 1989 in a C-6 District does not conform with the McLean CBC Plan and cannot be supported. If the applicant wishes to develop an office on the site, a development plan for an office building which conforms with the current Plan and proposed zoning should be submitted for review. Likewise, the applicant's proposed option to convert the hotel to an office use with a reduced FAR at some time in the future, without providing details of how this would be done, cannot be supported. The applicant contends that such conversion would be controlled through the issuance of a new Non-RUP for the office as proffered; however, Zoning Administration does not support this approach which would be very difficult to implement.

The applicant has requested approval of three (3) development proposals for the subject site, even though only one (1) current development plan for the hotel has been submitted. The application and proffers are structured so that, once approved, the applicant could develop either the hotel or the office building which does not conform with the Plan. At a later date, without approval of a proffered

condition amendment or provision of details on how the conversion would occur, the hotel could be converted to offices at a reduced FAR. Therefore, even though staff finds the proposed hotel generally to conform with the Comprehensive Plan, assuming resolution of the landscaping along Old Dominion Drive, the two (2) options for office/mixed use do not conform with the Plan.

### **Transportation Analysis (Appendix 7)**

The Transportation Impact Analysis, dated May 18, 1999, is attached in Appendix 7. The following issues are discussed in the DOT Addendum.

#### **Issue: Right- of- Way Dedication**

The applicant should dedicate right-of-way along Beverly Road that is consistent with the right-of-way cross section on Beverly Road at the eastern end toward Old Dominion Drive.

#### **Resolution:**

The right-of-way dedication proposed along Beverly Road appears to be consistent with that requested; however, the applicant needs to clarify the right-of-way dedication on the development plan to remove confusion about whether the requested area of right-of-way, or just the proposed entrance, will be dedicated.

#### **Issue: Brick Paver Sidewalk Location**

The brick paver sidewalks should be located within the right-of-way with a one (1) foot wide maintenance strip from the edge of the sidewalk to the property line as part of the right-of-way dedication, as required by VDOT for acceptance of their maintenance.

#### **Resolution:**

The applicant had been advised to provide the one (1) foot wide maintenance strip adjacent to the proposed brick paver sidewalk and has not done so. However, at this time, because of landscape issues previously discussed, the proposed brick paver sidewalk may be relocated outside the right-of-way within a public access easement. If the applicant submits a revised plan, it will be evaluated by staff in a subsequent Addendum to this report.

#### **Issue: Development Alternatives**

If the site is developed with an office with support retail, as proposed in the applicant's proffers, an interparcel access should be provided to Parcel 15 to the west.

**Resolution:**

The applicant's proffer states that the proposed office would be in substantial conformance with the proffers accepted with the Board's approval of RZ 85-D-039. Proffer #13 provides interparcel access to Parcel 15 which would address this issue. It should be noted, however, that the applicant's proposed hotel to office conversion does not provide any commitment to an interparcel access.

**Issue: Service Drive**

A service drive is required along Old Dominion Drive.

**Resolution:**

The applicant has requested a waiver of the service drive which staff supports because there is no service drive along this portion of Old Dominion Drive to which it would connect.

In summary, transportation issues have not been completely addressed. The applicant's revised development plan which may relocate the sidewalk along Old Dominion Drive and may revise the note regarding dedication of right-of-way along Beverly Road will be reviewed by staff in an Addendum to this report.

**Environmental Analysis (Appendix 8)****Issue: Stormwater Management/BMPs**

The subject site is located within the County's Dead Run watershed. The development proposal depicts a potential location for an underground stormwater facility on the eastern portion of the subject property adjacent to Old Dominion Drive. The applicant's development plan indicates that a waiver or modification of the stormwater management BMP requirements may be requested. It is recommended that the applicant specify the means proposed to achieve water quality requirements as stipulated by the Fairfax County Chesapeake Bay Preservation Ordinance in the event that a waiver is not granted by the Department of Public Works and Environmental Services (DPWES).

**Resolution:**

The applicant's development plan shows a potential underground stormwater management/BMP facility under the parking lot along Old Dominion Drive. At the time of site plan submission, the applicant will be required to demonstrate to the satisfaction of DPWES that all requirements pertaining to stormwater management

and BMPs will be met. If a waiver is not granted and substantial modifications to the applicant's development plan result, a proffered condition amendment and a special exception amendment would be required to be approved by the Board.

**Issue: Highway Noise**

The main section of the hotel adjacent to Old Dominion Drive will be impacted by noise levels which fall between 65 and 70 dBA Ldn. As a hotel is considered a residential use, the hotel should be constructed with materials which can provide adequate noise mitigation.

**Resolution:**

The applicant has not addressed this issue. Staff has proposed a development condition which requires construction techniques to reduce interior noise to a maximum level of 45 dBA Ldn to address the issue.

**Public Facilities Analyses:**

Contained in Appendices 9 through 12 are reports from the Fairfax County Water Authority, the Office of Waste Management, Fire and Rescue Department, and the Department of Public Works. The site is within the franchise area of the City of Falls Church Water Authority. Adequate sewer service is available for the site. The site meets fire protection guidelines. The Department of Public Works noted that there are proposed Master Drainage Plan projects downstream of the site for channel restoration and stabilization and a road crossing improvement. No recommendations for the subject site were made. The site meets fire protection guidelines.

**ZONING ORDINANCE PROVISIONS**

The following chart illustrates how the application conforms with the C-3 District standards if developed with the proposed hotel and with the office development, previously approved in 1989 in the C-6 District, which the applicant proposes as an option for development on this site. Staff cannot evaluate the applicant's other proposed office option which would result from conversion of the hotel to offices because no details of how the conversion would be done have been provided. The applicant's draft proffer states that the office development resulting from a conversion of the hotel to offices would have a maximum FAR of 0.70 but does not state how this would occur.

**Bulk Regulations (C-3)**

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	20,000 Sq. Ft.	2.40 Acres
Lot Width	100 Ft.	214.45 Ft. (Old Dominion Dr.) 391.9 Ft. (Beverly Road)
Building Height	90 Ft.	60 Ft. (Hotel) 40 Ft. (Office)
Front Yard	25° ABP, Min.40 Ft.	83 Ft. (Old Dominion Dr., Hotel) 52 Ft. (Beverly Road, Hotel)  24 Ft. (Old Dominion Dr., Office) 70 Ft. (Beverly Road, Office)
Side Yard	N/A	NA
Rear Yard	20 ABP, Min. 25 Ft.	18 Ft. (Hotel)* 34 Ft. (Office)
FAR	1.00	1.0 (Hotel) 0.70 (Office)
Open Space	15%	15% (Hotel) 19% (Office)

\* As the above chart indicates, the proposed hotel meets all of the C-3 District bulk regulations except the rear yard requirement for which a waiver has been requested, pursuant to the Commercial Revitalization District Ordinance, which permits such waivers for properties located within a CRD. The previously approved C-6 office plan which the applicant proposes as a development option on the site meets all of the C-3 bulk regulations except the front yard along Old Dominion Drive; however, the Plan encourages reduced front yards in CBC areas where pedestrian amenities are emphasized.

**Parking and Loading:**

According to Sect. 11-103, the parking requirement for a hotel is calculated at one (1) space per rental unit, plus four (4) spaces per fifty (50) rental units. The proposed hotel contains 150 rooms; thus, 150 spaces plus 12 spaces (162 spaces) are required. The parking requirement for the proposed eating establishment is

calculated at one (1) space per each 4 seats and one (1) space per each 2 employees. With 80 seats and 10 employees, the parking requirement is 25 spaces. The total parking requirement for the proposed hotel with eating establishment is 187 spaces. The applicant has requested a 20% parking reduction, pursuant to the provisions of the Commercial Revitalization District Ordinance, which permits such reductions for properties located within a CRD, which results in the provision of 150 parking spaces.

According to Sect. 11-103, the parking requirement for office buildings containing between 50,000 and 125,000 square feet of gross floor area is three (3) spaces per 1000 square feet of gross floor area. The previously approved office development with ground floor retail uses which the applicant has included in the proffers was a development with 5,500 square feet of financial institution use; 23,100 square feet of retail use; and 46,712 square feet of office use. The development plan shows a total parking requirement of 300 parking spaces and provision of 304 spaces. The parking requirement for offices in effect at that time was a ratio of 3.6 spaces per 1000 square feet of gross floor area which exceeds the current requirement. The parking requirement for a financial institution is calculated as 4 spaces for each 1,000 square feet of gross floor area and retail space requires a ratio of 1 space for each 200 square feet of net floor area for the first 1000 square feet, plus 6 spaces for each 1000 square feet. The formulas for financial institutions and retail use are the same as those in effect in 1989. Therefore, if the proffered office development with ground floor retail and financial institution use was constructed, parking requirements could be met. Staff has not been provided with specific information on parking for the proposed office building which would result from the conversion of the hotel to an office use.

Pursuant to Sect. 11-203, three (3) loading spaces are required for the hotel and eating establishment and have been provided.

**Transitional Screening and Barriers:**

None are required.

**Parking Lot Landscaping:**

Sect. 13-201 requires a minimum of 5% interior parking lot landscaping for parking lots with twenty (20) or more spaces. The application satisfies the requirement by providing slightly in excess of 5% interior parking lot landscaping for the proposed hotel. Staff does not have information on interior parking lot landscaping for the proposed office development.

Sect. 13-202 requires peripheral parking lot landscaping ten (10) feet in width (planted with one tree for each 50 feet) between a parking lot of twenty (20) or more spaces and right-of-way and four (4) feet in width (planted with one tree for each 50 feet) between a parking lot and other land. The application also satisfies this requirement for the proposed hotel. The proposed office development which would be built to conform with that approved in 1989 does not provide all of the required peripheral parking lot landscaping.

**Additional Zoning Ordinance Requirements:**

A hotel is a Category 5 Special Exception and is subject to the General Standards in Sect. 9-006 and Standards for All Category 5 Uses in Sect. 9-503, among others. A parking reduction and reduction in the rear yard setback are Category 6 Special Exceptions and are also subject to the General Standards contained in Sect. 9-006.

General Special Exception Standards (Sect. 9-006)  
Standards for All Category 5 Uses (Sect. 9-503)

**Summary of Zoning Ordinance Provisions:**

The applicant's proposal which includes a hotel or office use does not satisfy General Standard 1, which requires the proposed use to be in harmony with the Plan, as the office plan does not meet the Plan design guidelines for the McLean CBC. Standard 2 is met for the proposed hotel as the proposed use is in harmony with the general purpose and intent of the applicable zoning district regulations. The office development approved in 1989 which is proffered as an option does not provide all of the required parking lot landscaping. With the currently submitted landscape plan which proposes landscaping within easements and the VDOT sight line, General Standard 3 is not met. General Standard 4 requires that pedestrian and vehicular traffic not be hazardous or conflict with existing and proposed traffic in the neighborhood. This Standard is met for all but the office use proposed as the result of conversion of the hotel to office because the interparcel connection to Parcel 15 recommended for office development has not been provided. Standards 5-8 address landscaping and screening; open space; drainage, parking and loading; and, signage. As noted earlier, the proposed office development approved in 1989 does not meet all of the landscaping requirements and, therefore, does not satisfy Standard 5. With only a proposed hotel and a corrected landscape plan, all of the standards would be met.

The proposal to convert the hotel to office use with a reduced FAR cannot be evaluated as the applicant has not provided information on how the conversion would be accomplished or shown a plan for an office developed in this manner.

**CONCLUSIONS AND RECOMMENDATIONS:****Staff Conclusions:**

The applicant has proposed three (3) possible scenarios with this application: a 1.0 FAR hotel; an office building at 0.70 FAR; or an office/mixed use development resulting from a future conversion of the hotel to office use at a reduced FAR (0.70). The applicant has submitted only a development plan for the hotel and proposes to address the two (2) office options through the proffers. The proffered office development which was approved in 1989 in the C-6 Zoning District does not meet the current McLean CBC Plan design guidelines. No details have been provided regarding the hotel to office conversion. The landscape plan submitted with the hotel proposes a substantial amount of landscaping along the front of the site in a VDOT sight line where it will not be allowed. It is staff's understanding that the applicant is pursuing a revised landscape plan to address this issue. With an acceptable landscape plan, the proposed hotel could be supported by staff as it is in harmony with the Comprehensive Plan and meets Zoning Ordinance requirements. However, with the applicant's proffers which include the ability to develop an office use consistent with that approved in 1989 which does not conform with the Plan, or to convert the hotel to an office/mixed use development at some point in the future, staff cannot support the application.

**Staff Recommendations:**

Staff recommends denial of RZ 1999-DR-012. However, should the Board approve RZ 1999-DR-012, staff recommends that it be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of SE 99-D-015. However, should the Board approve SE 99-D-015, staff recommends that it be subject to the proposed development conditions in Appendix 2.

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

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

## APPENDICES

1. Draft Proffers
2. Staff Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Proffers and Development Plan for RZ 85-D-039
6. Plan Citations and Land Use Analysis
7. Transportation Analysis
8. Environmental Analysis
9. Water Service Analysis
10. Sanitary Sewer Analysis
11. Fire and Rescue Memorandum
12. Department of Public Works Memo
13. Zoning Ordinance Provisions
14. Glossary of Terms

DRAFT

**RZ-1999-DR-012 – ROBERT FRANK PENCE/GRAND DUKE HOTEL  
PROFFER STATEMENT**

**APRIL 8, 1999**

**MAY 7, 1999**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Board of Supervisors' approval of rezoning application RZ-1999-DR-012, as proposed, for rezoning from the C-6, HC, SC and CRD Districts to the C-3, HC, SC and CRD Districts, Robert Frank Pence (the "Applicant"), for himself and his successors and assigns, hereby proffers that development of Tax Map Parcels 30-2-((1))-17 and 18 (the "Property"), containing approximately 2.3974 acres, shall be in accordance with the following proffered conditions:

1. Substantial Conformity for Hotel Use. Subject to the provisions of Section 18-204 of the Zoning Ordinance, if the Property develops pursuant to special exception approval for a hotel use, the Property shall be developed in substantial conformance with the Generalized Development Plan prepared by The Engineering Groupe, dated February 25, 1999, as revised through May 5, 1999 (the "GDP"), as further modified by these proffered conditions.
2. Substantial Conformity for Office Use. Subject to the provisions of Section 18-204 of the Zoning Ordinance, as an alternative to the hotel use should the hotel use not be implemented, the Property may be developed for office and mixed uses, not to exceed 75,312.30 square feet, in substantial conformance with (i) proffers #1-19 accepted in conjunction with RZ 85-D-039, dated January 26, 1989, and attached hereto as Exhibit A; and (ii) the provisions of the Generalized Development Plan/Special Exception Plat dated July 1, 1988 as revised through December 20, 1988, prepared by Burton, Hudgins & Gundlach, P.C., also approved in conjunction with RZ 85-D-039 and attached hereto as Exhibit B. Notwithstanding the aforesaid, such office/mixed use development will be governed by and conform to the regulations of the C-3 zoning district rather than the regulations of C-6 zoning district. Before implementing such office/mixed use the Applicant shall not be required, but is encouraged and shall give full consideration to pursuing a PCA facilitating further address to design and use considerations.
3. Minor Modifications to Design. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, the Applicant may make minor adjustments to the GDP, if such changes are in substantial conformance with the GDP and these proffers, and if the changes do not increase total square footage, exceed maximum heights, decrease the minimum amount of open space, or decrease the amount of setback along the property

boundaries. Such changes may include, without limitation, adjusting the size and location of building footprints and shifting parking spaces between surface and garage spaces.

4. Land Use. The maximum floor area ratio ("FAR") for the entire property shall not exceed 1.0 for hotel and accessory uses, or .70 for the office/mix and accessory uses permitted pursuant to paragraphs 2 and 12 of these proffers. The Applicant reserves the right to develop a full service restaurant as a use accessory to the hotel or otherwise consistent with Section 4-305 of the Zoning Ordinance.
5. Right-of-Way Dedication. The Applicant shall dedicate right-of-way along the Beverly Road frontage of the Property as depicted on the GDP. All right-of-way dedicated in conjunction with these proffers and as depicted on the GDP shall be conveyed to the Board of Supervisors in fee simple upon demand by the County or at the time of recordation of the approved final site plan, whichever occurs first.
6. Utilities. Subject to approval by the appropriate utility provider, the Applicant shall relocate, underground, any overhead utility lines located on or traversing the Property, within an approved utility easement, located in consultation with Fairfax County Department of Public Works and Environmental Services ("DPWES") at the time of site plan approval; however, the Applicant shall not be required to underground any utility lines traversing streets.
7. Architecture. The hotel structure shall be of an architectural style and quality comparable to the elevations on Sheet 4 of the GDP. Brick portions of the building façade shall be predominantly earth-toned red brick ("Virginia Brick").
8. Landscaping, Streetscaping and Plaza. Landscaping and streetscaping shall be provided in substantial conformance with the location, quality and quantity of plantings depicted on Sheets 2 and 3 of the GDP. The location and design of the plaza located on Beverly Road and the location and design of the corner feature/amenity area at the intersection of Old Dominion Drive and Beverly Road shall be in substantial conformance with the illustrative plans on Sheet 3 of the GDP. If, during the process of site plan review, any landscaping shown on the GDP is removed or moved to locate utility lines as determined necessary by DPWES, an area of additional landscaping of equivalent value may be substituted at another location or locations on the Property; to facilitate approval by DPWES of the design and location of the Beverly Road plaza as shown, the Applicant shall commit to restoration, to the approved design, should maintenance access by DPWES cause removal or destruction. If utility easements or line of sight issues preclude the planting of trees as depicted at the corner feature/amenity area of Beverly Road and Old Dominion Drive (i) the trees depicted in the corner

feature/amenity area will be relocated to Old Dominion Drive and planted in clusters at even intervals, and (ii) the corner feature/amenity area will be landscaped with a combination of low growing shrubs and flower beds. The plaza area on Beverly Road shall be privately owned and maintained by the Applicant. Plant species, lighting fixtures and street furniture, including benches and trash receptacles, shall be in substantial conformance with the applicable McLean Central Business Center (CBC) Open Space Design Standards for Sub-area 22a as defined and described in Plan Amendment 95-30.

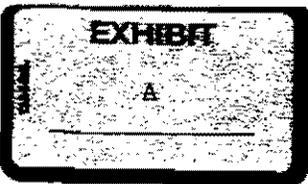
9. Sidewalks. As depicted on the GDP and subject to approval by the Virginia Department of Transportation ("VDOT") and/or approval by DPWES, the Applicant shall construct within the VDOT right-of-way: (i) a 7 ½' brick sidewalk extending along the Property's Old Dominion Drive frontage and extending along the Property's Beverly Road frontage to the plaza area; and (ii) a 5' brick sidewalk along the Property's Beverly Road frontage from the plaza area to the southwestern property boundary. Said sidewalks shall be designed in conformance with VDOT standards defined in Special Design Section A-97 or an alternative standard provided by DPWES; however, if required by VDOT or Fairfax County for maintenance purposes, said sidewalks may be constructed to a lesser width than noted in (i) and (ii) above, or of a lesser paving material (such as stamped concrete resembling brick or concrete paving units).
10. Pedestrian Crosswalk. At the time of final site plan approval, the Applicant shall escrow \$27,360 to DPWES for construction by others of a brick/paver "crosswalk" across Beverly Road, within the VDOT right-of-way, in conformance with the design guidelines for the McLean Central Business Center. If said crosswalk has not been constructed by others within eighteen (18) months of the aforesaid escrow deposit by Applicant, the escrow shall be released to Applicant by DPWES.
11. Signage. Signage shall be limited to monument and building mounted signs permitted per Article 12 of the Zoning Ordinance. The location and design of signs shall generally conform to the illustratives shown on Sheet 3 of the GDP.
12. Conversion of Hotel to Office Use. If the Property is developed for hotel use, future conversion of the hotel to office/mixed use may be permitted subject to the following conditions: (i) there shall be no piecemeal conversion of hotel rooms to office/mixed use; if conversion is proposed, all hotel space must be converted at the same time; (ii) the first floor of the structure will be used for retail, restaurant and/or financial institution uses; (iii) total square footage for the office and first floor mixed uses permitted pursuant to paragraph 2 above shall not exceed a .7 FAR; and (iv) parking for uses located within the structure must conform to Article 11 of the Zoning Ordinance.

- 13. Density Credit. All intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the subject Property.
  
- 14. 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.
  
- 15. Counterparts. To facilitate this execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

\_\_\_\_\_  
ROBERT FRANK PENCE  
Applicant and Contract Purchaser

GEO. H. RUCKER REALTY CORPORATION  
Title Owner of Parcels 30-2-((1))-17 and 18

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_



PROFFERS CASE #RZ 85-D-039  
JANUARY 26, 1989

Pursuant to Section 15.1-491(a) of the Code of Virginia, 1950 Edition as amended, upon approval by the Board of Supervisors of Application RZ 85-D-039 to permit the development of 75,312.30 square feet of office and retail uses in accordance with the provisions of the C-6 district and Generalized Development Plan/Special Exception Plat dated July 1, 1988, and revised December 20, 1988, prepared by Burton, Hudgins & Gundlach, P. C., the undersigned hereby proffers the following conditions:

1. Each reference to "applicant" in this proffer will include within its meaning, and will be binding upon, applicant's successor(s) in interest and/or the developer(s) of the subject property or any portion thereof.
2. Development of the subject property will be in conformance with the Generalized Development Plan/Special Exception Plat prepared by Burton, Hudgins and Gundlach, P. C. dated July 1, 1988, and revised December 20, 1988.
3. The proposed three-story (forty feet high) office/retail building and underground parking will not exceed the representations set forth on the GDP/SE Plat. The maximum building height for the building exclusive of mechanical penthouse will not exceed 40 feet.
4. The total gross floor area for the proposed building including the drive-in bank will be 75,312.30 square feet with an FAR of 0.70.
5. A minimum of 60% of the required parking spaces will be provided in underground parking areas.
6. A financial institution will be located on the first (1st) floor with the balance of the first (1st) floor to be constructed for retail and/or restaurant use. The upper two floors of the building will be utilized for office use.
7. A landscaping plan will be provided consistent with the GDP/SE Plat dated 7/1/88 and revised 12/20/88, prepared by Burton, Hudgins & Gundlach, P. C. Final planting and placement of Vegetation and plant materials will be subject to approval by the Fairfax County Arborist.

8. The plaza area at the corner of Old Dominion Drive and Beverly Road will be provided as shown on the GDP/SE Plat dated 7/1/88 and revised 12/20/88, prepared by Burton, Hudgins & Gundlach, P. C. It will contain landscaping and seating areas for the public. The final configuration of these features is subject to minor change during design development of the project.
9. This project, including building architecture, will adhere to the established McLean Design Standards in effect at the time of site plan review as approved by DEM.
10. New curb, gutter and sidewalks on Old Dominion Drive and Beverly Road will be provided as required to match existing profiles and/or paving limits as established by Virginia Department of Transportation, Fairfax County Department of Road Management and Fairfax County Department of Environmental Management.
11. Storm water detention will be provided underground in oversized pipes to accomplish detention run-off caused by the proposed development. The detention structure will be located below the corner park area and along Old Dominion Drive, and will outfall into existing storm sewer along Old Dominion Drive subject to approval of Department of Environmental Management and Department of Public Works.
12. A public access easement to insure continuous Pedestrian Access twenty-four feet wide along the Old Dominion Drive boundary of the project as indicated on the GDP/SE Plat dated 7/1/88 and revised 12/20/88, prepared by Burton, Hudgins & Gundlach, P. C., will be recorded among the land records of Fairfax County in a form approved by the Fairfax County Attorney subject to Fairfax County Department of Environmental Management approval.
13. Interparcel access with a public access easement will be provided along the northern boundary of the project and parcel 30-2 ((1))15 at the time of site plan approval.
14. Applicant/developer will dedicate to the Fairfax Board of Supervisors and convey in fee simple 3,158.50 square feet at the corner of Old Dominion Drive and Beverly Road which has been the subject of a "quick-take". Said square footage shall be included in the project square footage calculation at a .70 FAR which will increase the project square footage by 2,210.95 square feet to 75,312.30 square feet from 73,101.35 square

feet. The necessary modifications to the site plan to reflect this increase shall be completed prior to approval by the Board of Supervisors.

15. A monetary contribution of \$128,000.00 in escrow funds to accommodate Fairfax County road bond project on Old Dominion Drive shall be provided in lieu of construction of road improvements.
16. The entrance on Old Dominion Drive shall be designed so that a left turn out of the project shall be prohibited.
17. Applicant/developer will dedicate to the Fairfax Board of Supervisors and convey in fee simple or grant public access easements for right of way along the subject property's Beverly Road frontage in conformance with the design of Beverly Road in effect at the time of site plan approval of applicant's project. Improvements on Beverly Road and Old Dominion Drive property frontages constructed by the Applicant/Developer will be in conformance with Virginia Department of Transportation and Fairfax County Department of Public Works standards and requirements. All ancillary easements will be provided along Beverly Road and Old Dominion Drive as required by DEM/VDOT.
18. If required by the Department of Environmental Management, the applicant will submit a geotechnical study for approval by DEM and will implement the improvements required by DEM.
19. The applicant will provide erosion and sedimentation controls as required in the Public Facilities Manual and Chapter 104 of the Fairfax County Code.

The applicant hereby proffers that the development of the Property shall be in accordance with the conditions set herein, unless an amendment hereto is mutually agreed upon by the Board of Supervisors and the undersigned.

APPLICANT/LANDOWNER  
RUCKER-BEVERLY JOINT VENTURE

By: Geo. H. Rucker Realty Corporation  
General Partner

By: David S. Dodrill  
David S. Dodrill  
President

GEO. H. RUCKER REALTY CORPORATION  
GENERAL PARTNER

By: David S. Dodrill  
David S. Dodrill  
President

By: David S. Dodrill  
David S. Dodrill  
General Partner

**BURTON & HUDGINS & GUNDLACH PC**

ARCHITECTURE & PLANNING & INTERIORS  
 1000 South Main Street  
 Suite 330  
 Helena, Montana 59601  
 Telephone (406) 261-1500

DATE: 08 NOVEMBER 1988  
 JOB NUMBER: SE802-00  
 CONSULTANT:



PROJECT:  
**RUCKER-BEVERLY  
 JOINT VENTURE  
 GENERALIZED  
 DEVELOPMENT PLAN/  
 SPECIAL  
 EXCEPTION PLAT**

**RZ-85-D-039  
 SE-88-D-059**

APPROVED BY RZ-85-D-039  
 RECORDED IN PLAT 88-01-D-059  
 A NEVADA DEVELOPMENT PLAT

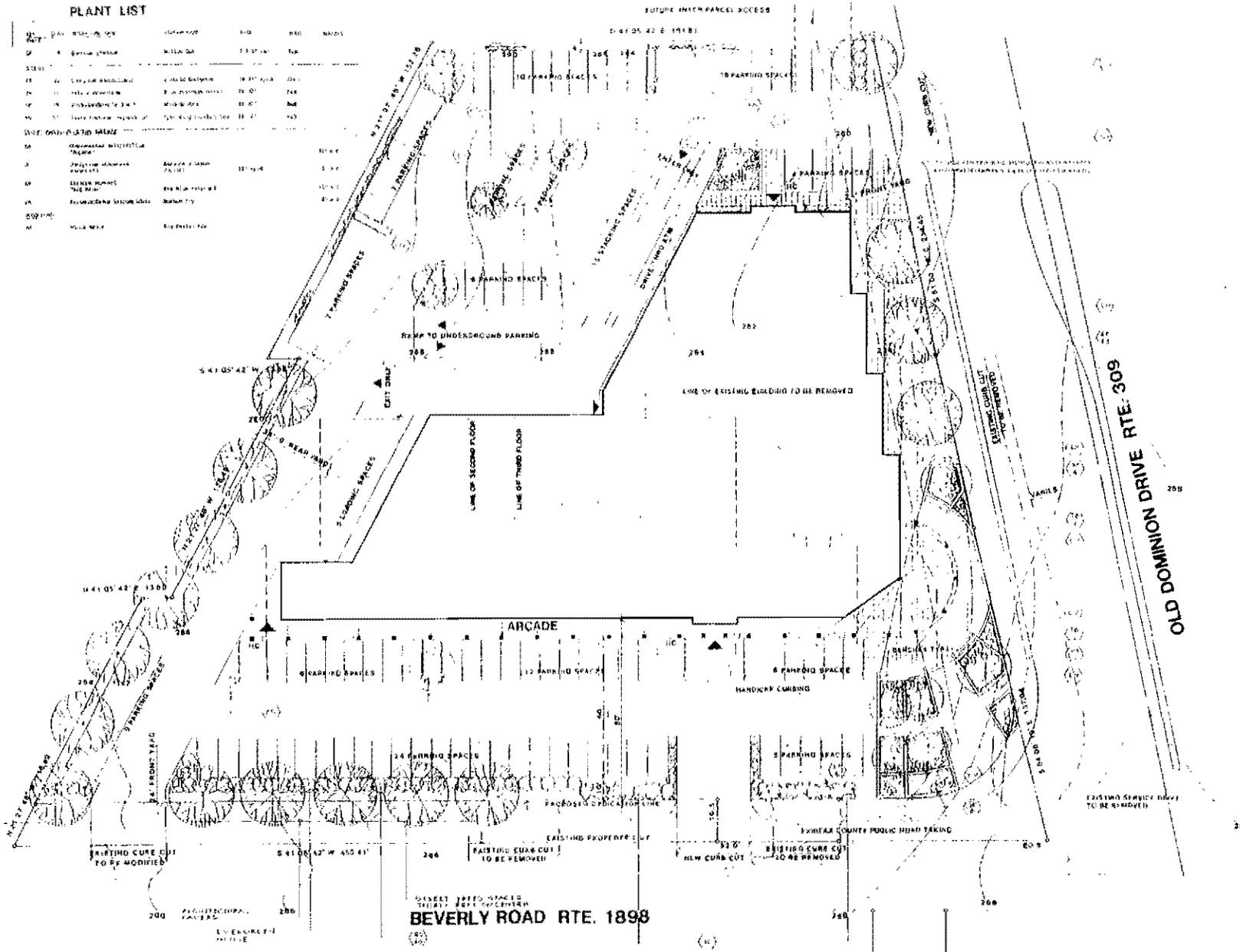
ISSUED FOR REVIEW: 07 JULY  
 ISSUED FOR REVIEW: 14 OCTOBER 1988  
 ISSUED FOR REVIEW: 09 NOVEMBER 1988  
 REVISED ISSUE: 20 DECEMBER 1988

FIRST FLOOR PLAN

SP 1

**PLANT LIST**

NO.	PLANT	SYMBOL	QUANTITY	REMARKS
1	SPRING HYDRANT	W 1/2" DIA	1	SEE PLAN
2	1" TREE	1" DIA	10	SEE PLAN
3	2" TREE	2" DIA	10	SEE PLAN
4	3" TREE	3" DIA	10	SEE PLAN
5	4" TREE	4" DIA	10	SEE PLAN
6	5" TREE	5" DIA	10	SEE PLAN
7	6" TREE	6" DIA	10	SEE PLAN
8	7" TREE	7" DIA	10	SEE PLAN
9	8" TREE	8" DIA	10	SEE PLAN
10	9" TREE	9" DIA	10	SEE PLAN
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99	98" TREE	98" DIA	10	SEE PLAN
100	99" TREE	99" DIA	10	SEE PLAN
101	100" TREE	100" DIA	10	SEE PLAN



**SITE PLAN** SCALE: 1/8" = 1'-0"

NOTES:  
 1. THE SHOWN AREAS MAY BE SUBJECT TO EROSION CONTROL OR OTHER REGULATIONS.  
 2. ALL PLANTING AND LANDSCAPING SHALL BE SUBJECT TO COUNTY PLANNING AND SUBJECT TO COUNTY PLANNING BY THE DEPARTMENT OF THE PROJECT.



VICINITY MAP NO. OF SHEET

**DESCRIPTION**

THIS PROJECT IS A GENERALIZED DEVELOPMENT PLAN FOR A SPECIAL EXCEPTION PLAT FOR A RETAIL COMMERCIAL DISTRICT. THE PROJECT IS SITUATED ON A CORNER LOT AT THE INTERSECTION OF RUCKER STREET AND BEVERLY STREET. THE PROJECT IS A FOUR-STORY BUILDING WITH A TOTAL FLOOR AREA OF 100,000 SQUARE FEET. THE PROJECT IS A RETAIL COMMERCIAL DISTRICT. THE PROJECT IS A GENERALIZED DEVELOPMENT PLAN FOR A SPECIAL EXCEPTION PLAT.

**ZONING**

PROJECT ZONING: RZ-85-D-039  
 DISTRICT ZONING: SE-88-D-059

**AREA TABULATION**

LAND AREA (SQ. FT.)	PERCENT
100,000	100.00

**PARKING TABULATION**

TYPE OF PARKING	NUMBER OF SPACES
Surface	100
Underground	100
<b>Total</b>	<b>200</b>

**DEVELOPMENT NOTES**

1. The project is a four-story building with a total floor area of 100,000 square feet. The project is a retail commercial district.
2. The project is a general development plan for a special exception plat.
3. The project is a retail commercial district.
4. The project is a general development plan for a special exception plat.
5. The project is a retail commercial district.
6. The project is a general development plan for a special exception plat.

**PARKING PROPOSED**



**C-6 STANDARDS**

STANDARD	REQUIREMENT
1. Building Height	Four stories
2. Floor Area Ratio	100,000 square feet
3. Setbacks	As per city code
4. Parking	200 spaces

(1) TYPICAL UPPER LEVEL PLAN

SECOND & THIRD FLOOR

(2) UNDERGROUND PARKING LEVEL PLAN

**BURTON & HUDGINS & GUNDLACH PC**

ARCHITECTURE & PLANNING & INTERIORS  
 1000 Street  
 Suite 300  
 Berkeley, CA 94704  
 Telephone: (415) 871-0800



DATE: 09-10-1988

JOB NUMBER: 88503-00

PROJECT:

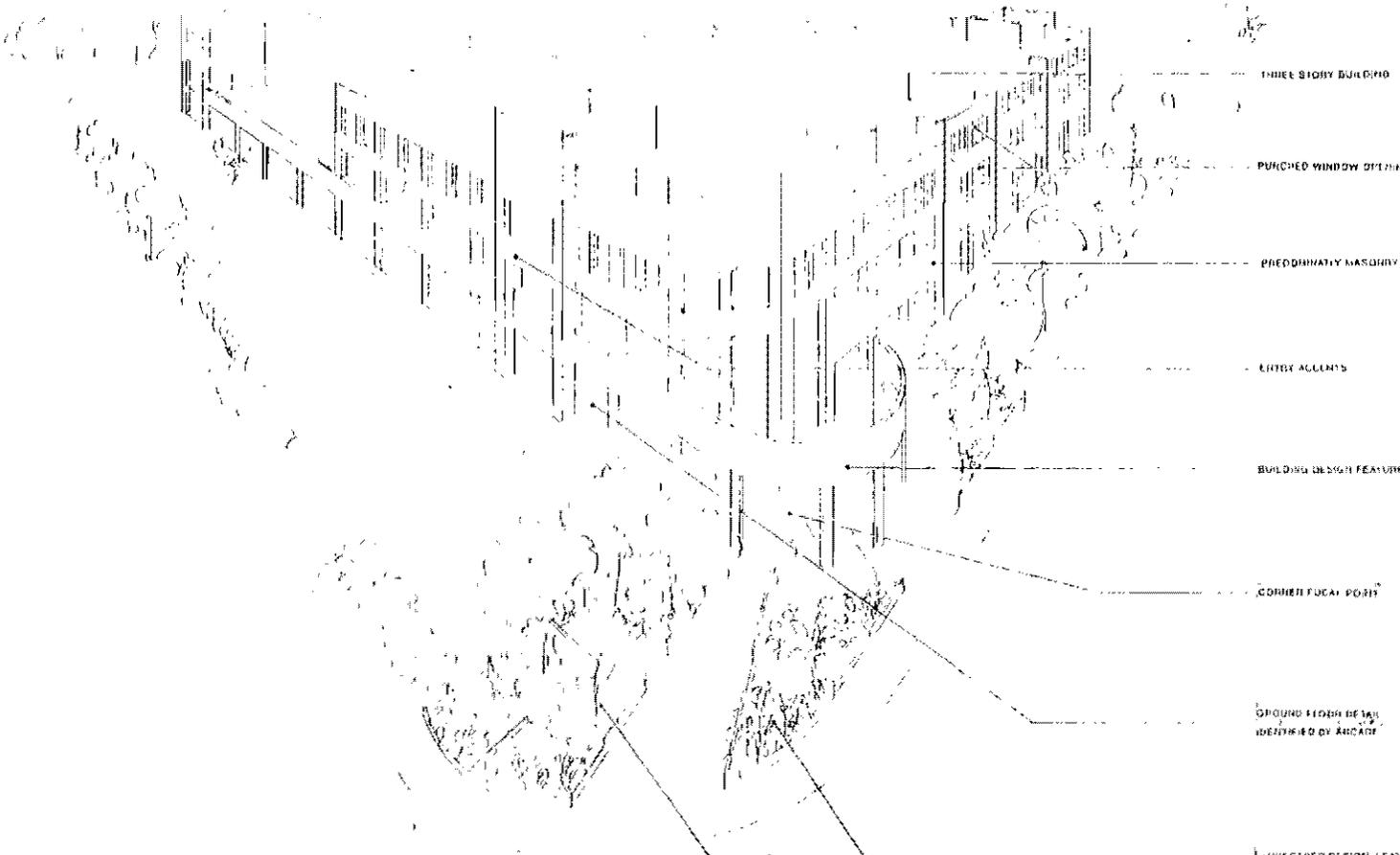
**RUCKER - BEVERLY  
 JOINT VENTURE  
 GENERALIZED  
 DEVELOPMENT PLAN/  
 SPECIAL  
 EXCEPTION PLAT**

**RZ-85-D-039  
 SE-88-D-059**

ISSUED FOR REVIEW 01 JULY 1988  
 ISSUED FOR REVIEW 14 OCTOBER 1988  
 ISSUED FOR REVIEW 09 NOVEMBER 1988  
 REVISED ISSUE 20 DECEMBER 1988

SITE PLAN NOTES

SP 2



THREE STORY BUILDING

PUNCHED WINDOW OPENINGS

PREDOMINANTLY MASONRY MATERIALS

ENTIRE ALLIUM'S

BUILDING DESIGN FEATURE

CORNER FOCUS POINT

GROUND FLOOR OF TALL IDENTIFIED BY ARCAD

LANDSCAPED DESIGN FEATURES

# BURTON & HUDGINS & GUNDLACH PC

ARCHITECTURE & PLANNING & INTERIORS  
 TOWN'S CORNER  
 400 SPRING HILL ROAD  
 SUITE 255  
 GLENDALE, ILLINOIS 60130  
 TELEPHONE (312) 821-1900

DATE  
 JOB NUMBER 18503.00  
 CONSULTANT

## RUCKER-BEVERLY JOINT VENTURE

GENERALIZED DEVELOPMENT PLAN/  
 SPECIAL EXCEPTION PLAT

RZ-85-D-039  
 SE-88-D-059

REVISIONS

ISSUED FOR REVIEW 14 OCTOBER 86  
 ISSUED FOR REVIEW 09 NOVEMBER 86  
 REVISED 1504E 20 DECEMBER 1986

### CONCEPTUAL SKETCH

NOTES:  
 1. THIS SKETCH IS PRELIMINARY AND IS SUBJECT TO CHANGE WITHOUT NOTICE.  
 2. THIS SKETCH IS NOT TO BE USED FOR CONSTRUCTION.  
 3. THIS SKETCH IS THE PROPERTY OF BURTON & HUDGINS & GUNDLACH PC.

**STAFF PROPOSED DEVELOPMENT CONDITIONS****SE 99-D-015****June 3, 1999**

If it is the intent of the Board of Supervisors to approve SE 99-D-015 located at 1400 Beverly Road and 6841 Old Dominion Drive at Tax Map 30-2 ((1)) 17 and 18 for a five-story hotel with a maximum FAR of 1.0, pursuant to Sects. 4-304 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the proposed hotel indicated on the special exception plat consisting of two (2) sheets entitled "Grand Duke Hotel, McLean", dated February 25, 1999 and revised to April 5, 1999. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DEM.
3. The proposed hotel shall be developed with a maximum of 150 rooms. With the exception of the proposed 80 seat eating establishment, there shall be no dining or meeting facilities in the hotel for use of the general public. Use of hotel facilities, including the swimming pool and sports court, shall be limited to registered hotel guests only and shall not be open to the general public.
4. Prior to the issuance of permits for signs, a coordinated signage plan for the hotel shall be submitted to DPZ which demonstrates that signage conforms with the requirements of Article 12 and utilizes a design which is consistent in style and materials throughout the site. No pole signs shall be used on the site.
5. The hotel shall be constructed primarily of Virginia Brick similar to that used in the Riggs Bank Building located at 6805 Old Dominion Drive in McLean. The building design shall be in substantial conformance with that shown on Sheet 4 of the Generalized Development Plan submitted with RZ 1999-DR-012 which is dated March 8, 1999, with a revision date of April 5, 1999. The roof shall be a dark earthtone, gray, or black, as approved by DPWES.
6. Construction techniques to ensure a maximum interior noise level of 45 dBA Ldn shall be provided in the hotel construction, as approved by DPWES.
7. A public access easement shall be recorded on the plaza area located along Beverly Road to insure that the space shall be open to the public and shall remain open, i.e., without gates or other barricades, at all times. Maintenance of the plaza shall be the responsibility of the owner/applicant.

8. The two (2) sections of hedge in front of the parking lot at the intersection of Old Dominion Drive and Beverly Road which are located in the storm sewer easement shall be planted in submerged, removable planters which can be removed, at the applicant's expense, if access to the storm sewer is required by the Maintenance and Construction Division of the Department of Public Works, as approved by DPWES.
9. A dumpster pad which is fully enclosed with a gate and constructed of materials similar to those used in the hotel shall be provided on the site as shown on the SE Plat.
10. Benches which conform with the Public Space Design Standards of the McLean CBC Plan shall be provided at both building entrances, as approved by the Site Review Branch of DPWES in coordination with DPZ. The landscape plan shall be revised to provide areas of bulb and perennial plantings, as recommended in the Public Space Design Guidelines, as approved by the Urban Forester. Lighting shall conform with the Public Space Guidelines.

The proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

## REZONING AFFIDAVIT

DATE: May 17, 1999  
 (enter date affidavit is notarized)

I, Robert Frank Pence, 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

99-65a

in Application No(s): RZ 1999-DR-012  
 (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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relation- ships listed in BOLD above)
Robert Frank Pence	1359 Beverly Road Suite 200 McLean, VA 22101	<b>Applicant/Contract Purchaser</b>
Geo. H. Rucker Realty Corporation Agents: David S. Dorrill Richard S. Wolff	1355 Beverly Road Suite 215 McLean, VA 22101	<b>Title Owner/Contract Seller</b>
Hunton & Williams	1751 Pinnacle Drive Suite 1700 McLean, VA 22102	<b>Attorneys for Applicant</b>
Francis A. McDermott John C. McGranahan, Jr. Mary Theresa Flynn	1751 Pinnacle Drive Suite 1700 McLean, VA 22102	<b>Attorneys/Agents for Applicant</b>
Karen F. Gavrilovic	1751 Pinnacle Drive Suite 1700 McLean, VA 22102	<b>Planner/Agent for Applicant</b>

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

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

REZONING AFFIDAVIT

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-65a

for Application No(s): RZ 1999-DR-012  
(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 herein.)

CORPORATION INFORMATION

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

Geo. H. Rucker Realty Corporation

1355 Beverly Road, Suite 215

McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

- [ ] There are 10 or less shareholders, and all of the shareholders are listed below.
[X] 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 & last name)

Margaret Crenshaw Jones
John R. Jones, Jr.
Derek P. Rucker

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

David S. Dodrill, President/CEO/Director Susan Stone Brannan, Director/Asst. Secretary
Michael P. Rucker, Chairman of Bd./Director/Asst. Secy. Sally Hart Brodie, Director
Richard S. Wolff, Executive Vice President Marilyn M. Jones, Director/Asst. Secretary
Susan Jones Cooper, Vice Pres./Director/Secretary/Treas. Susan Johnson, Asst. Secretary
John R. Jones, Jr., Vice President/Director/Asst. Secretary Sharon Green, Asst. Treasurer

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

\*\* All listings which include partnerships or corporations 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 the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-65a

for Application No(s): RZ 1999-DR-012  
(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 & zip code)

Hunton & Williams  
1751 Pinnacle Drive  
Suite 1700  
McLean, VA 22102

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

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

- |                          |                              |                            |
|--------------------------|------------------------------|----------------------------|
| Benjamin C. Ackerly      | F. William Brownell          | Robert C. Dewar            |
| Robert A. Acosta-Lewis   | Christopher G. Browning, Jr. | Edward L. Douma            |
| Stanislaus Aksman        | Kevin J. Buckley             | Mark S. Dray               |
| Virginia S. Albrecht     | Kristy A. Niehaus Bulleit    | L. Traywick Duffie         |
| Kenneth J. Alcott        | John F. Cafferky             | Bradley R. Duncan          |
| W. Tinley Anderson       | Matthew J. Calvert           | W. Jeffery Edwards         |
| John B. Ashton           | Grady K. Carlson             | L. Neal Ellis, Jr.         |
| Randall D. Avram         | David M. Carter              | Juan C. Enjamio            |
| Gerald L. Baliles        | Jean Gordon Carter           | John D. Epps               |
| Jeffery R. Banish        | Charles D. Case              | Patricia K. Epps           |
| A. Neal Barkus           | Thomas J. Cawley             | Lathan M. Ewers, Jr.       |
| Michael B. Barr          | Cynthia S. Cecil             | James E. Farnham           |
| Philip M. Battles, III   | James N. Christman           | Kevin L. Fast              |
| John J. Beardsworth, Jr. | Randolph W. Church           | James W. Featherstone, III |
| Lucas Bergkamp           | R. Noel Clinard              | Norman W. Fichthorn        |
| Mark B. Bierbower        | Herve' Cogels                | Andrea Bear Field          |
| Bruno Blanckaert         | Myron D. Cohen               | Edward S. Finley, Jr.      |
| Andrew Z. Blatter        | Cassandra C. Collins         | Kevin J. Finto             |
| Russel S. Bogue, III     | Joseph P. Congleton          | Thomas J. Flaherty         |
| Lawrence J. Bracken, II  | Joseph W. Controy (former)   | William M. Flynn           |
| William S. Bradley       | Cameron N. Cosby             | Lejb Fogelman              |
| David F. Brandley, Jr.   | T. Thomas Cottingham, III    | Lauren E. Freeman          |
| Arthur D. Brannan        | Donald L. Creach             | Ira L. Freilicher          |
| Craig A. Bromby          | William D. Dannelly          | David R. Fricke            |
| Robert F. Brooks, Sr.    | Samuel A. Danon              | Edward J. Fuhr             |
| A. Tadd Brown            | Douglas W. Davis             | Richard D. Gary            |
| Tyler P. Brown           | Stephen P. Demm              | Manning Gasch, Jr.         |

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

\*\* All listings which include partnerships or corporations 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 the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-65a

for Application No(s): RZ 1999-DR-012  
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

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

NONE.

(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 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:

*Robert Frank Pence*

(check one) [X] Applicant [ ] Applicant's Authorized Agent

Robert Frank Pence

(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 17th day of May, 19 99, in the state of Virginia.

My commission expires: April 30, 2002. Margaret A. Cippit  
Notary Public

DATE: May 17, 1999  
 (enter date affidavit is notarized)

99-65a

for Application No(s): RZ 1999-DR-012  
 (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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Jeannie A. Mathews	1751 Pinnacle Drive Suite 1700 McLean, VA 22102	Paralegal/Agent for Applicant
The Engineering Groupe, Inc.	13625 Office Place Suite 101 Woodbridge, VA 22192	Engineers for Applicant
B. Stanley Omdorff	13625 Office Place Suite 101 Woodbridge, VA 22192	Engineer/Agent for Applicant

(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.

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-65a

For Application No(s): RZ 1999-DR-012  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
The Engineering Groupe, Inc.  
13625 Office Place, Suite 101  
Woodbridge, VA 22192

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 & last name)  
John S. Groupe, IV

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

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

DESCRIPTION OF CORPORATION: (check one statement)  
 There are 10 or less shareholders, and all of the shareholders are listed below.  
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

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

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

DATE: May 17, 1999  
 (enter date affidavit is notarized)

99-65e

for Application No(s): RZ 1999-DR-012  
 (enter County-assigned application number(s))

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

Hunton & Williams (Continued)

1751 Pinnacle Drive

Suite 1700

McLean, VA 22102

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

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

James G. Gatto	Leslie O. Juan	Jacek Michalski
David F. Geneson	Tomasz Kacymirow	John B. Miller, Jr.
J. William Gibson	E. Peter Kane	Thomas McN. Millhiser
C. Christopher Giragosian	Thomas F. Kaufman	Patrick J. Milmoie
Timothy S. Goettel	Joseph C. Kearfott	Jack A. Molenkamp
Allen C. Goolsby, III	D. Arthur Kelsey	Charles R. Monroe, Jr.
L. Raul Grable	Daniel O. Kennedy	T. Justin Moore, III
Douglas S. Granger	Douglas W. Kenyon	Thurston R. Moore
Mark E. Grantham	Edward B. Koehler	Dewey B. Morris
Patti L. Grant-Wilkinson	John T. Konther	Sandra P. Mozingo
J. William Gray, Jr.	Steven J. Koorse	Robert J. Muething
Anne Gordon Greever	Dana S. Kull	Eric J. Murdock
John Owen Gwathmey	David Craig Landin	Edmond P. Murphy
Virginia H. Hackney	David O. Ledbetter	J. Andrew Murphy
Catherine M. Hall	Darryl S. Lew	Thomas P. Murphy
Ray V. Hartwell, III	Michael J. Lockerby	James P. Naughton
Robert W. Hawkins	David S. Lowman, Jr.	Michael Nedzbala
Timothy G. Hayes	John A. Lucas	Kimberly A. Newnman
Mark S. Hedberg	Harrison D. Maas	Jerry C. Newsome
George H. Hettrick	Robert C. MacDonald	Henry V. Nickel
Thomas Y. Hiner	Thomas M. Mackall	Lonnie D. Nunley, III
Lousanna O. Huehsen	Benjamin V. Madison, III	Michael P. Oates
Frank A. Hirsch, Jr.	Charles King Mallory, III	Jonathan A. Olick
Scott M. Hobby	Thomas J. Manley	John D. O'Neill, Jr.
Robert E. Hogfoss	Michael F. Marino	Brian V. Otero
John E. Holloway	Catherine M. Marriott	Randall S. Parks
Stephen J. Horvath, III	Jeffrey N. Martin	R. Hewitt Pate
George C. Howell, III	Walfrido J. Martinez	William S. Patterson
Roszell D. Hunter	Christopher M. Mason	Charles A. Perry
Donald P. Irwin	Michael W. Maupin	David F. Peters
Judith H. Itkin	Richard E. May	Bruce D. Peterson
Matthew D. Jenkins	William H. McBride	R. Dean Pope
Harry M. Johnson, III	Milby A. McCarthy	Kurtis A. Powell
David E. Johnston	Jack E. McClard	Lewis F. Powell, III
James A. Jones, III	J. Burke McCormick	Virginia W. Powell
Dan J. Jordanger	Francis A. McDermott	J. Waverly Pulley, III
Walton K. Joyner	John C. McGranahan, Jr.	Arnold H. Quint
Richard G. Joynt	Christina S. Meador	Gordon F. Rainey, Jr.

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



SPECIAL EXCEPTION AFFIDAVIT

DATE: May 17, 1999
(enter date affidavit is notarized)

I, Robert Frank Pence, do hereby state that I am an
(enter name of applicant or authorized agent)

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

99-64a

in Application No(s): SE 99-D-015
(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 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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Rows include Robert Frank Pence, Geo. H. Rucker Realty Corporation, Hunton & Williams, Francis A. McDermott, John C. McGranahan, Jr., Mary Theresa Flynn, and Karen F. Gavrilovic.

(check if applicable) [X] There are more relationships to be listed and Par. 1(a) is
continued on a "Special Exception Attachment to Par. 1(a)" form.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-64a

for Application No(s): SE 99-D-015  
(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:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Geo H. Rucker Realty Corporation  
1355 Beverly Road, Suite 215  
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Margaret Crenshaw Jones  
John R. Jones, Jr.  
Derek P. Rucker

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

\*\* All listings which include partnerships or corporations 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 the stock. 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.

ICIAL EXCEPTION AFFIDAVIT

DATE: May 17, 1999
(enter date affidavit is notarized)

99-64a

for Application No(s): SE 99-D-015
(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 & zip code)

Hunton & Williams
1751 Pinnacle Drive
Suite 1700
McLean, VA 22102

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

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

- Benjamin C. Ackerly, Robert A. Acosta-Lewis, Stanislaus Aksman, Virginia S. Albrecht, Kenneth J. Alcott, W. Tinley Anderson, John B. Ashton, Randall D. Avram, Gerald L. Baliles, Jeffery R. Banish, A. Neal Barkus, Michael B. Barr, Philip M. Battles, III, John J. Beardsworth, Jr, Lucas Bergkamp, Mark B. Bierbower, Bruno Blanckaert, Andrew Z. Blatter, Russel S. Bogue, III, Lawrence J. Bracken, II, William S. Bradley, David F. Brandley, Jr, Arthur D. Brannan, Craig A. Bromby, Robert F. Brooks, Sr, A. Todd Brown, Tyler P. Brown, F. William Brownell, Christopher G. Browning, Jr, Kevin J. Buckley, Kristy A. Niehaus Bulleit, John F. Cafferky, Matthew J. Calvert, Grady K. Carlson, David M. Carter, Jean Gordon Carter, Charles D. Case, Thomas J. Cawley, Cynthia S. Cecil, James N. Christman, Randolph W. Church, R. Noel Clinard, Herve' Cogels, Myron D. Cohen, Cassandra C. Collins, Joseph P. Congleton, Joseph W. Conroy (former), Cameron N. Cosby, T. Thomas Cottingham, III, Donald L. Creach, William D. Dannelly, Samuel A. Danon, Douglas W. Davis, Stephen P. Demm, Robert C. Dewar, Edward L. Douma, Mark S. Dray, L. Traywick Duffie, Bradley R. Duncan, W. Jeffery Edwards, L. Neal Ellis, Jr, Juan C. Enjamio, John D. Epps, Patricia K. Epps, Lathan M. Ewers, Jr, James E. Farnham, Kevin L. Fast, James W. Featherstone, III, Norman W. Fichthorn, Andrea Bear Field, Edward S. Finley, Jr, Kevin J. Finto, Thomas J. Flaherty, William M. Flynn, Lejb Fogelman, Lauren E. Freeman, Ira L. Freilicher, David R. Fricke, Edward J. Fuhr, Richard D. Gary, Manning Gasch, Jr.

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment 1(c)" form.

\*\* All listings which include partnerships or corporations 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 the stock. 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.

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-64a

For Application No(s): SE 99-D-015  
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 line below.)  
NONE.

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

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

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

4. That the information contained in this affidavit is complete 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:

Robert Frank Pence  
(check one) [X] Applicant [ ] Applicant's Authorized Agent

Robert Frank Pence  
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 17th day of May, 1999, in the state of Virginia.

My commission expires: April 30, 2002. Margaret A. Carrut  
Notary Public

DATE: May 17, 1999  
 (enter date affidavit is notarized)

99-64a

For Application No(s): SE 99-D-015  
 (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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Jeannie A. Mathews	1751 Pinnacle Drive Suite 1700 McLean, VA 22102	Paralegal/Agent for Applicant
The Engineering Groupe, Inc.	13625 Office Place Suite 101 Woodbridge, VA 22192	Engineers for Applicant
B. Stanley Orndorff	13625 Office Place Suite 101 Woodbridge, VA 22192	Engineer/Agent for Applicant

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

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-64a

for Application No(s): SE 99-D-015  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
The Engineering Groupe, Inc.  
13625 Office Place, Suite 101  
Woodbridge, VA 22192

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 & last name)

<u>John S. Groupe, IV</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u></u>	<u></u>

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

DATE: May 17, 1999  
 (enter date affidavit is notarized)

99-64a

for Application No(s): SE 99-D-015  
 (enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)  
Hunton & Williams (Continued)  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

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

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

- |                           |                           |                        |
|---------------------------|---------------------------|------------------------|
| James G. Gatto            | Leslie O. Juan            | Jacek Michalski        |
| David F. Geneson          | Tomasz Kacymirow          | John B. Miller, Jr.    |
| J. William Gibson         | E. Peter Kane             | Thomas McN. Millhiser  |
| C. Christopher Giragosian | Thomas F. Kaufman         | Patrick J. Milmoie     |
| Timothy S. Goettel        | Joseph C. Kearfott        | Jack A. Molenkamp      |
| Allen C. Goolsby, III     | D. Arthur Kelsey          | Charles R. Monroe, Jr. |
| L. Raul Grable            | Daniel O. Kennedy         | T. Justin Moore, III   |
| Douglas S. Granger        | Douglas W. Kenyon         | Thurston R. Moore      |
| Mark E. Grantham          | Edward B. Koehler         | Dewey B. Morris        |
| Patti L. Grant-Wilkinson  | John T. Konther           | Sandra P. Mozingo      |
| J. William Gray, Jr.      | Steven J. Koorse          | Robert J. Muething     |
| Anne Gordon Greever       | Dana S. Kull              | Eric J. Murdock        |
| John Owen Gwathmey        | David Craig Landin        | Edmond P. Murphy       |
| Virginia H. Hackney       | David O. Ledbetter        | J. Andrew Murphy       |
| Catherine M. Hall         | Darryl S. Lew             | Thomas P. Murphy       |
| Ray V. Hartwell, III      | Michael J. Lockerby       | James P. Naughton      |
| Robert W. Hawkins         | David S. Lowman, Jr.      | Michael Nedzbaia       |
| Timothy G. Hayes          | John A. Lucas             | Kimberly A. Newman     |
| Mark S. Hedberg           | Harrison D. Maas          | Jerry C. Newsome       |
| George H. Hettrick        | Robert C. MacDonald       | Henry V. Nickel        |
| Thomas Y. Hiner           | Thomas M. Mackall         | Lonnie D. Nunley, III  |
| Lousanna O. Huehsen       | Benjamin V. Madison, III  | Michael P. Oates       |
| Frank A. Hirsch, Jr.      | Charles King Mallory, III | Jonathan A. Olick      |
| Scott M. Hobby            | Thomas J. Manley          | John D. O'Neill, Jr.   |
| Robert E. Hogfoss         | Michael F. Marino         | Brian V. Otero         |
| John E. Holloway          | Catherine M. Marriott     | Randall S. Parks       |
| Stephen J. Horvath, III   | Jeffrey N. Martin         | R. Hewitt Pate         |
| George C. Howell, III     | Walfredo J. Martinez      | William S. Patterson   |
| Rozzell D. Hunter         | Christopher M. Mason      | Charles A. Perry       |
| Donald P. Irwin           | Michael W. Maupin         | David F. Peters        |
| Judith H. Itkin           | Richard E. May            | Bruce D. Peterson      |
| Matthew D. Jenkins        | William H. McBride        | R. Dean Pope           |
| Harry M. Johnson, III     | Milby A. McCarthy         | Kurtis A. Powell       |
| David E. Johnston         | Jack E. McClard           | Lewis F. Powell, III   |
| James A. Jones, III       | J. Burke McCormick        | Virginia W. Powell     |
| Dan J. Jordanger          | Francis A. McDermott      | J. Waverly Pulley, III |
| Walton K. Joyner          | John C. McGranahan, Jr.   | Arnold H. Quint        |
| Richard G. Joynt          | Christina S. Meador       | Gordon F. Rainey, Jr.  |

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

DATE: May 17, 1999  
(enter date affidavit is notarized)

99-64a

for Application No(s): SE 99-D-015  
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)  
Hunton & Williams (Continued)  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

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

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

- |                           |                        |
|---------------------------|------------------------|
| John Jay Range            | Gregory N. Stillman    |
| Stuart A. Raphael         | Franklin H. Stone      |
| Scott M. Ratchick         | Andrew J. Tapscott     |
| John M. Ratino            | Michael L. Teague      |
| Robert S. Rausch          | John Charles Thomas    |
| William M. Richardson     | Gary E. Thompson       |
| Rick J. W. Riggers        | Paul M. Thompson       |
| James M. Rinaca           | B. Cary Tolley, III    |
| Renee E. Ring             | Randolph F. Totten     |
| Jennings G. Ritter, II    | Guy T. Tripp, III      |
| David B. Rivkin, Jr.      | C. Porter Vaughan, III |
| Kathy E. B. Robb          | C. L. Wagner, Jr.      |
| Gregory B. Robertson      | William A. Walsh, Jr.  |
| Scott L. Robertson        | Harry J. Warthen, III  |
| Robert M. Rolfe           | Mark G. Weisshaar      |
| Kevin A. Ross             | Hill B. Wellford, Jr.  |
| William L. S. Rowe        | G. Thomas West, Jr.    |
| Marguerite R. Ruby        | Hugh V. White, Jr.     |
| D. Alan Rudlin            | Stephen F. White       |
| Mary Nash Rusher          | Jerry E. Whitson       |
| Adam L. Salassi           | Amy McDaniel Williams  |
| Stephen M. Savers         | David H. Williams      |
| Pauline A. Schneider      | P. Edwin Williamson    |
| Jeffrey P. Schroeder      | Walter F. Witt, Jr.    |
| Melvin S. Schulze         | David C. Wright        |
| Patricia M. Schwarzschild | William F. Young       |
| Thomas J. Scott, Jr.      | Lee B. Zeugin          |
| P. Watson Seaman          |                        |
| James W. Shea             |                        |
| Jo Anne E. Sirgado        |                        |
| Laurence E. Skinner       |                        |
| Thomas G. Slater, Jr.     |                        |
| B. Darrell Smelcer        |                        |
| Caryl G. Smith            |                        |
| Turner T. Smith, Jr.      |                        |
| Lisa J. Sotto             |                        |
| Walter E. Steimel, Jr.    |                        |
| Marty Steinberg           |                        |

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

**RECEIVED**  
 DEPARTMENT OF PLANNING AND ZONING  
 MAY 10 1999  
 ZONING EVALUATION DIVISION

May 10, 1999

**PENCE - MCLEAN BUSINESS CENTER HOTEL PROPERTY  
 STATEMENT OF JUSTIFICATION - REZONING  
 (McLean Revitalization District)**

Robert Frank Pence, Contract Purchaser and Applicant ("the Applicant"), requests approval to rezone approximately 2.397 acres (Tax Map Parcels 30-2 ((1)) 17, 18) from C-6, HC (Highway Corridor Overlay District), SC (Sign Control Overlay District) and Commercial Revitalization District (CRØD) to C-3, HC, SC and CRØD. The Property is located in the southwest quadrant of the intersection of Old Dominion Drive and Beverly Road in the McLean Central Business District and is currently developed as a nursery. The Property is also located in the McLean Commercial Revitalization Overlay District.

The Applicant proposes to develop a 150-room extended stay hotel. The proposed all-suite (each unit will include a kitchenette) hotel will include a swimming pool, sports court, exercise room, and a meeting room intended for use by guests. The hotel will also include a breakfast buffet for guests and may ultimately include public restaurant. The maximum gross square footage of the hotel will not exceed 104,413 square feet for a maximum development intensity of 1.0 F.A.R. The hotel rooms, lobby and other "public" areas are all larger than the previous design, and the amenities package greater. The Applicant also seeks to maintain the approved office development plan and proffers in the event the hotel does not develop as planned. This development option will be discussed in more detail, below.

The Applicant has filed a concurrent application for a Category 5 special exception which would allow redevelopment of the site for the proposed hotel use. The special exception application provides detailed information about the nature and extent of the proposed hotel use on this site. The Applicant is also seeking a Category 6 special exception to permit a reduction of the required rear yard, as permitted per the recently adopted McLean Commercial Revitalization District Amendments to the Zoning Ordinance. Development of the Property is currently governed by proffers associated with RZ 85-D-039, which was approved by the Board of Supervisors on February 13, 1989, to allow development of a mix of office and retail uses. Revised proffers will be developed in conjunction with this rezoning application.

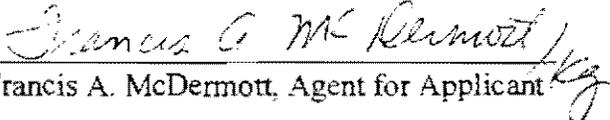
The Applicant has designed the proposed hotel to conform to the design guidelines adopted by the Board of Supervisors on April 27, 1998 for the McLean Community Business Center (Out-of-Turn Plan Amendment 97-CW-3CP) which amended Area II Plan. The newly adopted Comprehensive Plan specifically seeks the establishment of an extended stay hotel at this location. Mixed use with ground floor retail is permitted at .7 FAR for Subarea 22, which includes the Property; intensity above .7 is permitted with development of a hotel. The proposed hotel will be five stories, with a central plaza on Beverly Road. The height, architectural design and treatment of the

structure, extensive landscaping and the use of brick pavers for pedestrian access will create an urban focal point for "Main Street" McLean which will tie into other design elements of "Main Street." The Applicant has met with and received preliminary endorsement of the proposed hotel design from the McLean Planning Committee (Exhibit A hereto).

The proposed redevelopment plan and the proposed zoning is compatible with the surrounding mixed commercial development. The adjacent property located northwest of the site is zoned C-3 and the property to the southwest is zoned C-6. The C-3 Zoning District is a less diverse zoning district, oriented to the development of a mix of office and employment uses rather than the retail-oriented C-6 District. It is the Applicant's belief that the C-3 District better implements the recently adopted plan amendment for the McLean Community Business Center, and will facilitate the 1.0 FAR requisite to establishing the hotel use.

As noted above, in the event the hotel is not developed, the Applicant proposes to maintain the option of office development on the site as approved in its current configuration. The office use would be developed under the C-3 zoning district regulations, rather than the currently approved C-6 designation. In 1989, the Board of Supervisors approved a development plan for the Property depicting a three story office building with retail, restaurant and financial institution uses on the first floor and office uses on the top two floors. The total FAR for the proposed office structure is .7. The General Development Plan depicts substantial landscaping, sidewalks with pavers, and corner feature/plaza amenity at the corner of Beverly Road and Old Dominion Drive. The office use at a maximum FAR of .7 and the proposed landscaping, streetscaping and plaza/corner feature amenities are compatible with the McLean Community Business Center guidelines.

The proposed hotel redevelopment plan as well as the office option conform to the provisions of all applicable ordinances, regulations, and adopted standards, except for the rear yard requirement for the C-3 District which is the subject of a specific special exception request, and other requests for waivers and modifications described herein. The Applicant is seeking a service drive waiver along Old Dominion Drive since the service drive has not been established on neighboring properties. The Applicant is also seeking a waiver of the trail requirement for the Old Dominion Drive frontage. As an alternative, the Applicant will provide a sidewalk with pavers and streetscaping in conformance with the McLean Business Center design guidelines.

  
Francis A. McDermott, Agent for Applicant

**McLean  
Planning  
Committee**

P.O. Box 744  
McLean, VA 22101

**President**

Jack Wilbern

**Vice President**

J.R. Peoples

**Secretary**

Shirley Elliott

**Treasurer**

John Fredricka

**McLean Chamber  
of Commerce**

Susan Liberty

Judy Miller

Barbara Soderquist

Jack Wilbern

**Surrounding  
Citizens Associations**

J.R. Peoples

Steven Kellar

Kevin Klerce

Robert Rayle

**Community Business  
Center Landowners**

Shirley Elliott

Chip Fitzgerald

Ronald E. Jerro

Robert Young

**McLean  
Citizens Association**

Herb Becker

John Fredricka

Maya Huber

Dick Poole

**STAYBRIDGE INN SUBCOMMITTEE**

**MOTION**

AFTER MEETING 1/25/99, 2/1/99, 2/5/99, 2/9/99 and 2/16/99 WITH REPRESENTATIVES OF THE APPLICANT, THE SUBCOMMITTEE RECOMMENDS AS FOLLOWS:

That the McLean Planning committee hereby supports in principle the Staybridge Inn project as proposed in the attached sketches and as presented at the Feb. 17 1999 regular MPC meeting. This support includes the site configuration shown for the proposed building footprint, building height, parking area locations, driveway locations, landscaped areas and hardscape plan as a suitable addition to the Central Business Center and as a major element of implementing the 'Main Street' concept with the following provisos:

1) This approval is made with the understanding that the development of the site plan is a work in progress and that several areas have not yet been finalized by the applicant. Included in the areas requiring further development in conjunction with the McLean Planning Committee are:

- a) the detailed design of the Public Plaza,
- b) a detailed landscape plan including the limited hardscape areas at the edges and corner of the proposed berm as discussed in Subcommittee.

2) That the Applicant will maintain the articulated facade and roof line as indicated, incorporating Virginia style brick ( similar to the Riggs Bank building ), and a limited variety of contrast elements as currently shown.

3) That the following items will still need to be resolved but are generally understood as accepted by both the applicant and the McLean Planning Committee:

- a) The Public Plaza, including convenience receptacles, will be maintained, substantially as designed, for the life of the project.
- b) Fully conforming streetscape, including trees, sidewalks and misc. fixtures will be provided per the Design Standards.
- c) The under grounding of all appropriate utilities on site.
- d) Building and/or monument signage in conformance with County requirements.
- e) Incorporation of appropriate lighting per the Design Standards along the streetscape and at the landscaped areas.
- f) All elevations will use the same finishes and basic design.
- g) Both entry features may or may not incorporate covered elements at the Applicant's discretion.
- h) The architectural features of the Beverly Road side of the building, while acceptable as submitted, are suitable for refinement / improvement.

4) That the McLean Planning Committee will continue to help give this application whatever guidance we may and that the appointed Subcommittee will remain in place in order to expedite issues as they proceed through the PCA / SE process.

5) Final MPC approval is contingent on a review of the developer's GDP/FDP plans prior to submittal for county zoning and building approval confirming that the basic site layout and architecture proposed is not substantially changed.

We also encourage the applicant to help in other aspects of completing 'Main Street' by coordinating with adjacent developments and in the effort to relocate Bell Atlantic.

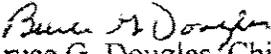
Submitted 2/17/99  
Jack Wilbern, Subcommittee Chair

A Community Based  
Organization Concerned  
with the Planning of the  
McLean Community  
Business Center District

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

**FROM:**   
Bruce G. Douglas, Chief  
Environment & Development Review Branch, DPZ

**SUBJECT: LAND USE ANALYSIS ADDENDUM: RZ 1999-DR-012**  
Grand Duke Hotel **SE 99-D-015**

**DATE:** 25 May 1999

The following analysis is based on the revised development plan dated May 7, 1999:

*Land Use*

The applicant proposes that if the proposed hotel use is not developed, then the office and retail mixed use project that is now approved should be developed. The office/retail mixed use project was approved before the current McLean Plan was amended. The urban design criteria that are in the current McLean Plan are different in many details and guidelines than the previous Plan. The applicant is in effect asking to have an office and retail mixed use project approved (reapproved) that has not been evaluated in terms of the current McLean Plan, in particular, in terms of the urban design guidelines. Without the opportunity to review a complete application, Plan conformance can not be determined.

*Site Design*

The site design for the office use does not comply with the current McLean Plan urban design guidelines. Architectural elevations are not provided. The streetscaping treatment is not adequate. Some of the plantings as they are shown on the submitted development plan will not be possible because of existing easements. The mid-block feature, a public assembly area, which serves also as a visual terminus for the "Main Street" in subareas 5 and 6, is not provided. There should be assurance provided with either the hotel or the office project that the public would have free and clear access to the public assembly area and that the development would be responsible for its maintenance.

The revised plan for the hotel project indicates that some of the proposed shade trees along Old Dominion Drive are in the sight line. The plan should be modified to shift the trees out of the

Barbara A. Byron  
RZ 1999-DR-012, etc.  
Page 2

sight line and at the same time create a streetscaping pattern that conforms with the Plan guidelines. The best solution would be to relocate the sidewalk at least two feet more away from the road. This would remove the trees from the sight line and create a wider planting strip for shade trees between the curb and the sidewalk. Even with this adjustment, the pattern of shade trees along Old Dominion Drive may also be effected by planting restrictions in the various utility easements that are located in this portion of the site. If, for this reason shade trees cannot be planted in certain locations that the Plan otherwise recommends, a satisfactory pattern for these trees still should be achieved and assurances should be given by the applicant that the satisfactory tree pattern can be implemented given any utility easement restrictions.

BGD:SEM

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING

MAY 18 1999

NING EVALUATION DIVISION

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

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment & Development Review Branch, DPZ

**SUBJECT: LAND USE ANALYSIS: RZ 1999-D-012**  
Grand Duke Hotel (Pence) SE 99-D-015

**DATE:** 17 May 1999

This evaluation of the proposed development memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of this application. The proposed use, intensity and site design are evaluated in terms of the relevant Plan recommendations and policies.

**DESCRIPTION OF THE APPLICATION:**

*Date of Development Plan:* April 8, 1999.  
*Request:* A 150 room extended stay hotel of five stories, 60 feet in height with part of the parking underground. An office with ground floor retail use is requested as an alternative. This use and design was previously approved.  
*FAR:* 1.0 for the hotel; .70 for the office/retail use.  
*Land Area:* 2.4 acres

**CHARACTER OF THE SURROUNDING AREA:**

The subject property is located in the McLean Community Business Center at the intersection of Old Dominion Drive and Beverly Road. The immediate vicinity is almost completely developed with medium to low intensity office and retail use. The McLean shopping center is located opposite the site across Beverly Road and a "Main Street" is planned through this shopping center with the public space on this site being the terminus for pedestrians. The following table shows the developed land use and intensity for parcels adjacent to the subject property.

TAX MAP IDENTIFICATION	LAND USE	FAR
30-2 ((1)) 15	office	.79
30-2 ((1)) 22A	office	.98
30-2 ((1)) 24	retail	.29
30-2 ((10)) (7) 2	office	.62
30-2 ((10)) (7) 3	office	.93
30-2 ((10)) (7) 9, 9A	post office	.23
30-2 ((10)) (7) 11	office	.76
30-2 ((10)) (7) 12A	office	.90
30-2 ((10)) (8) 1	vacant	n/a
30-2 ((10)) (8) 3.4	office	1.06
30-2 ((10)) (8) 5	retail	.23
30-2 ((10)) (8) 5A, 6	restaurant	.28
30-2 ((10)) (8) 7.8	office	.26

**COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**

On April 27, 1998 the Board of Supervisors adopted Out-of-Turn Plan Amendment 97-CW-3CP (#95-30), which amended the entire McLean Community Business Center portion of the 1991 Area II Plan. All page references are to the Plan Amendment text of #95-30.

**Plan Text:**

On page 44, the MCLEAN CBC SUBAREA GUIDELINES, subarea #22, the Plan states:

“Land Use Objective

Mixed-use with ground floor retail. Intensity above .70 is permitted in Subblock A, if mixed-use development includes such uses as an extended-stay inn or hotel and is

designed as a focal point for the northern end of "Main Street" in a manner that is compatible with the adjacent properties in terms of scale and character. Building heights of four and five stories is appropriate."

On pages 10 and 11, LAND USE RECOMMENDATIONS, the Comprehensive Plan states:

"Redevelopment Areas

....

3. The southeastern corner of the block defined by Old Dominion Drive, Beverly Road and Ingleside Avenue (Subarea 22a) should act as the northernmost anchor for the proposed "South Village," incorporating an extended-stay inn, hotel, or other mixed use that will serve the local residents and businesses of McLean and act as an after-work hours activity generator. In addition, this development should have four to five stories in order to establish the visual and spatial terminus to "Main Street," and include a public plaza and main entrance facing Beverly Road. The building should include ground floor restaurants and shops."

On page 44, the MCLEAN CBC SUBAREA GUIDELINES, subarea #22, the Plan states:

**"Building Envelope Guidelines (Subarea #22A):** Special Place type C. Building entrances oriented toward Beverly Road and Old Dominion Drive; service and parking entrances from Beverly Road. Any new development should be compatible with adjacent existing and planned development in terms of scale and character."

**Plan Map:**

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

**Analysis:**

The proposed extended stay hotel with a ground floor restaurant is one of the land use options recommended in the Plan for this site. The proposal provides justification for the 1.0 FAR by:

- 1) choosing the extended stay hotel and restaurant land use combination;
- 2) providing a spatial focal point, in the form of a public plaza, opposite the Redmond Drive "Main Street";

- 3) being compatible with the adjacent properties in terms of scale and character (see table, above); and,
- 4) by providing a building height that does not exceed five stories.

Note #2 on page 1 of the proposed general development plan states that office use may be established on the property, as well as hotel and ancillary uses. The Plan states that office use is appropriate as part of mixed use development if the applicable design criteria are met satisfactorily. The maximum FAR could not be above .70 for this alternative. In order for office use to be acceptable, a complete development plan would have to be submitted to be evaluated in terms of all the Plan recommendations and criteria that apply to this property.

The Plan guidance regarding the orientation of the building's main entrance is somewhat ambiguous. In this proposal the main entrance is oriented to Old Dominion Drive and there is a secondary entrance facing Beverly Road, which is on axis with the public plaza and the Redmond Drive "Main Street." This entrance orientation complies with the Plan's intent.

The Comprehensive Plan also provides the following text that establishes guidelines for evaluating the development proposal:

**Plan Text:**

On page 10 and 11, LAND USE RECOMMENDATIONS, the Redevelopment Areas section, the Plan states:

"With a base FAR of .35, a method has been established to achieve the higher level of intensity noted for certain subareas. To exceed a .35 FAR all of the following elements should be addressed:

1. Utilities are placed underground, where applicable, or a contribution is made to help offset the cost of placing utilities underground in the future;
2. Public amenities are provided per the McLean CBC Design Standards;
3. Open space and public areas are provided per the McLean CBC Design Standards;
4. Parking is screened with either evergreen landscape planting or masonry fencing to at least three feet high from street(s), as applicable, and with adequate pedestrian cross-throughs being provided;

5. Vehicular inter-parcel access is provided, wherever possible;
6. Architectural features are provided, such as materials, roof line, facade, and massing that distinguish the project as above the ordinary;
7. Urban Design features and focal points are provided, such as those described in the McLean CBC Design Standards and in the Urban Design section;
8. Pedestrian oriented public space and enhanced pedestrian circulation are provided within and through the site; and
9. Compatibility with the surrounding community is ensured in terms of both the architectural design and density.”

On page 1, the INTRODUCTION to the OPEN SPACE DESIGN STANDARDS, the Plan states:

“During the review of a development application, County staff will evaluate the proposal for conformity with the design guidance provided herein, as well as other aspects of the Comprehensive Plan. A similar review will be undertaken by the McLean Planning Committee. This review process will provide a clear framework for maintaining architectural integrity, quality, consistency and continuity while allowing flexibility for creative and innovative design solutions in unique circumstances.”

**Analysis:**

- 1) Utilities should be provided underground or a contribution made to implement this recommendation in the future;
- 2) Open space and a place for the public to gather are provided opposite the terminus of the “Main Street” as proposed in the Plan (Redmond Drive in subareas 5 and 6).
- 3) It is suggested that a water feature be provided in the public area (see #2, above), as recommended in the concept diagram on page 11 of PUBLIC SPACE DESIGN STANDARD S, C. Special Place–Mid Block. However, the introduction to the design standards section of the Plan indicates that there should be flexibility to allow other creative solutions to satisfy the need for special design treatment related to the mid block concept that is recommended for this site. Other options aside from a water feature, for example, include an outdoor sculpture or a distinctive planter, or a combination. A public contest for the sculpture, for instance, would set the tone for the public assembly

function envisioned for this feature. Creating a special design treatment in the center of this plaza is important because the size of the proposed plaza is barely adequate for a public assembly function.

- 4) The surface parking is screened by hedges, as recommended in the above citation.
- 5) The need for vehicular inter-parcel access should be assessed by the County Department of Transportation.
- 6) Color elevations of the building have been provided and the quality of the proposed architecture and site design appears to be satisfactory in terms of compatibility with existing development. The brick could be similar to that of the existing Riggs Bank, for example.
- 7) A moderately sized public plaza area is shown opposite the terminus of the proposed Main Street (in subareas 5 and 6) and pavers are shown for entrance areas, especially related to the public plaza area on Beverly Road. A corner feature, including sitting benches and special plantings, is provided at the corner of Old Dominion Drive and Beverly Road. See discussion below related to Public Space Design Standards, Special Place – Minor Corner.
- 8) Pedestrian oriented public space (the public plaza opposite the Redmond Drive “Main Street”) and enhanced pedestrian circulation (widened sidewalks) are provided. However, additional pavers are recommended for pedestrians walking from Beverly Road across the vehicular travelway to the building along the Beverly Road access point to the site. The same pedestrian paver feature should be provided next to the access point on Old Dominion Drive across the vehicular travelway to the building.
- 9) The proposed intensity is in conformance with the surrounding development, which varies as shown in the table on page 2.

The proposal generally meets the criteria for achieving an FAR above both the .35 (general criteria) and .70 (specific criteria for subarea 22a) FARs discussed in the Plan text.

**Plan Text:**

On pages 15 and 16, URBAN DESIGN RECOMMENDATIONS, the Comprehensive Plan states:

“One of the most important design concepts in implementing improvements for a sense of place for downtown McLean is a strong unique appearance gained through creative and flexible urban design...principles...[the] Plan should...provide...identity-producing urban spaces.

The principal...changes in the McLean CBC involve...enclosing urban spaces to foster clearly identifiable and engaging magnets for community gathering and day-extending activities as a “Sense of Place.” Another important urban design goal is to clearly distinguish the extent of the CBC through major streetscape enhancements, improved pedestrian amenities and boundary signage.

Appearance-enhancing and community-building urban design initiatives most applicable to the community's stated objectives for a uniquely McLean “Sense of Place” include:

1. Establishing magnets for community gathering such as the “North and South Villages” as described in the Concept for Future Development and Land Use Recommendations 1-5 under the Redevelopment Areas subheading;
2. A network of CBC-wide streetscape improvements that clearly distinguish the extent of the CBC, with the provision of underground utilities, street trees, other landscaping, decoratively paved sidewalks, street furniture, lighting and coordinated signage;
3. The inclusion of CBC-wide...phase-out of all pole signs; and
4. The provision of exterior lighting for any single building or project that is consistent in general type throughout the downtown to maintain the overall character and quality, and that is designed to provide adequate lighting to ensure public safety without creating glare or light spillage into neighboring properties.”

**Analysis:**

1. See other discussions of the public assembly plaza area opposite the Redmond Drive “Main Street”.
2. See the discussion about E. Major Public Walkway -- Adjacent to Parking, below.
3. The application should demonstrate that the entrance sign will be ground-mounted.

4. See the discussion about lighting in the discussion of Appendix 7, below.

**Plan Text:**

On page 2, the MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, GENERAL DESIGN PRINCIPLES (also see the diagrams on pages 3-4), the Plan states:

“...Enhancing image, animating facade, creating networks of space, providing upgraded streetscapes, enhancing view corridors, and improving architectural design by achieving compatible building styles and designs are some of the general design principles...

**Analysis:**

This application shows development designed in a way that generally conforms with the intent of the Plan recommendations. The proposed development will help correct an unattractive intersection that has a mish-mash of retail uses and signs. This design, which has the building set back from the street, avoids blank walls next to where people walk. The opportunity to create a network of spaces for the block in which the site is located is not available because the rest of the block is already developed. Pedestrian connections can only be made via sidewalks. This is acceptable because of the small scale of development in the immediate vicinity. The proposed design will provide a rooftop with visual interest that is integrated with the overall architecture of the building. The design would help achieve a building style that is generally compatible with near-by, recently constructed office buildings. The design would upgrade the streetscape, with improvements recommended above for the vicinity. This will increase the potential for pedestrian activity.

**Plan Text:**

In the MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, C. Special Places -- Mid Block section, on page 11, the Plan states:

“A mid-block special place should be a plaza area that is designed as a dramatic terminal point for a major pedestrian concourse. The illustration shows an open space area at the intersection of Main Street and Beverly Road, which is approximately the width of Main Street. The open space or plaza should have architectural embellishments, planting and seating with distinctive paving and include shade and/or ornamental trees. The intersection should have decorative paving to define the linkage

of the primary pedestrian street and the plaza. For the street frontage away from the plaza, shade trees are provided approximately 30 feet apart in 5-foot insets or a 5-foot planting strip. A minimum 5-foot sidewalk and an additional 5-foot landscaped and/or pedestrian amenity area between the sidewalk and building should be provided....”

**Analysis:**

A small public plaza is proposed opposite the terminus of the Redmond Drive “Main Street”. The Comprehensive Plan envisions a larger public gathering place here. Pedestrian markings or pavers should be placed on Beverly Road to articulate the pedestrian circulation between the “Main Street” on the south side of Beverly Road and the mid-block feature on the subject property. The width of the proposed sidewalk conforms with the Plan guidance and the landscaping between the sidewalk and the parking is sufficient. The distance between the shade trees along the sidewalks meets the Plan recommendation.

**Plan Text:**

In the MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, C. Special Place -- Minor Comer, on page 13, the Plan states:

“Minor comers are located at the comer of a block where two pedestrian walkways intersect and where both pedestrian walkways are adjacent to secondary streets. The illustration shows a minimum of 13 feet between the curb and building line at the comer where a landscaped feature is provided. The comer landscaped feature includes a seating area, but also could be designed with a fountain and/or public art. The purpose of the comer treatment is to add to the sense of place. Adjacent to the secondary street away from the comer, street trees are provided approximately 30 feet apart in a 5-foot inset or a 5-foot planting strip with grass or ground cover. A minimum 5-foot sidewalk should be provided with an additional 5-foot landscaped and/or pedestrian amenity area between the sidewalk and building....”

**Analysis:**

Although the Plan indicates as a general policy that a major corner feature is appropriate at the intersection of Old Dominion Drive and Beverly Road, the fact that the Plan shows a mid block feature for this site means that a minor comer feature is also appropriate. A major corner feature could detract from the mid-block feature. The proposed minor corner feature conforms with the Plan intent.

**Plan Text:**

In the MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, E. Major Public Walkway -- Adjacent to Parking, on pages 16 and 17, the Plan states:

**“Planning and Design Objectives**

Develop and maintain a strong visual edge along primary and secondary streets. Visually separate convenience retail parking from the arterial street.

**Public Space Design Standards**

Provide a single row of deciduous street trees along the public street.

Sidewalk should primarily be precast concrete or cast-in-place concrete. Paving should be accentuated by simple narrow brick banding against the building face and be perpendicular to similar bands within the sidewalk.

Provide expanded brick band in the utility strip right-of-way paralleling the curb.

Provide unified street furniture, consisting of standard lights and trash containers. (At building entrances, provide benches, planter pots, and other furniture using the same visual characteristics as required elsewhere in the CBC.)

Provide ground covers with flowering bulbs planted in tree pits.

Provide public sidewalk adjacent to retail storefronts, continuing walkway to end with no step-off, to the adjacent development’s pedestrian area.

Provide one row of parking at storefront. (Parking can be either perpendicular or diagonal as shown).

Provide low wall, hedge, or berm located on island between parking lot and street to provide separation between street and parking.

Provide day lilies, flowering bulbs, and other perennial flowers at entrances to parking lot and along sidewalk area.

Provide flowering trees planted within parking lot in spaces in designated planter islands. Low vegetation should be planted in islands.

Provide pedestrian connections to adjacent developments which encourage safe and continuous pedestrian circulation.

**Recommended Tree Types** (See Appendix 4 discussion, below)

Where convenience retail parking is appropriate, the distance from the building facade to the inside curb line of the parking area should be 12 to 15 feet. The pedestrian concourse between the primary road and the parking lot should have shade trees planted in a 5-foot planting strip or alternately 5-foot by 5-foot insets, a minimum 5-foot sidewalk and 3-foot hedge width located between the sidewalk and the parking lot. Shade trees along the primary streets should be spaced approximately 30 feet apart and coordinated with lighting fixtures.”

**Analysis:**

Although the proposed use is not convenience retail, the site design has some surface parking between the building and the sidewalks. Therefore, the design criteria for retail apply to this application. All the criteria for this type of design generally appear to be satisfied. However, the two shade trees on either side of the corner feature should be moved to the building side of the sidewalk because one of the trees is within the sight line along Old Dominion Drive. Also, the Plan calls for sitting benches at the entrances to the building and bulb and perennial plantings. More detail in the submission would be helpful. More specific criteria for lighting is included in Appendix 7 and is discussed below.

**Plan Text:**

The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 2-Sidewalks, on pages 35, applies to this application. See the attached text.

**Analysis:**

The width of sidewalks and pattern of brick shown in this proposal are larger than the Plan’s minimum guidance. This needs to be approved by VDOT. The brick pattern is more generous than the minimum outlined in the guidelines.

**Plan Text:**

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The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 3-Streetscape Plantings, on pages 37 and 38, applies to this application. See attached text.

**Analysis:**

The guidelines in this section should be respected and applied as appropriate for the site design.

**Plan Text:**

The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 4-Landscape Trees and Plants, on pages 39 and 40 applies to this proposal. See attached text.

**Analysis:**

The list of plantings that will be used for this proposal should be compared to the types specified in this section.

**Plan Text:**

The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 5-Parking Areas, on pages 41 applies to this proposal. See attached text.

**Analysis:**

These Plan criteria are satisfied.

**Plan Text:**

The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 6-Street Furniture, on pages 46-49, applies to this proposal. See attached text.

**Analysis:**

There is street furniture proposed for the mid block feature on Beverly Road and for the corner feature. This satisfies the Plan's intent.

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**Plan Text:**

The MCLEAN CENTRAL BUSINESS CENTER (CBC) OPEN SPACE DESIGN STANDARDS, PUBLIC SPACE DESIGN STANDARDS, Appendix 7-Lighting, on pages 51-54 apply to this proposal. See attached text.

**Analysis:**

A comprehensive outdoor lighting plan should be provided that shows the details of location, size and orientation of the light fixtures. The outdoor lighting should conform with up to date industry practices that seek to prevent glare from light shining upward to the night sky and from spilling off-site, essentially wasting light and energy and annoying people off-site.

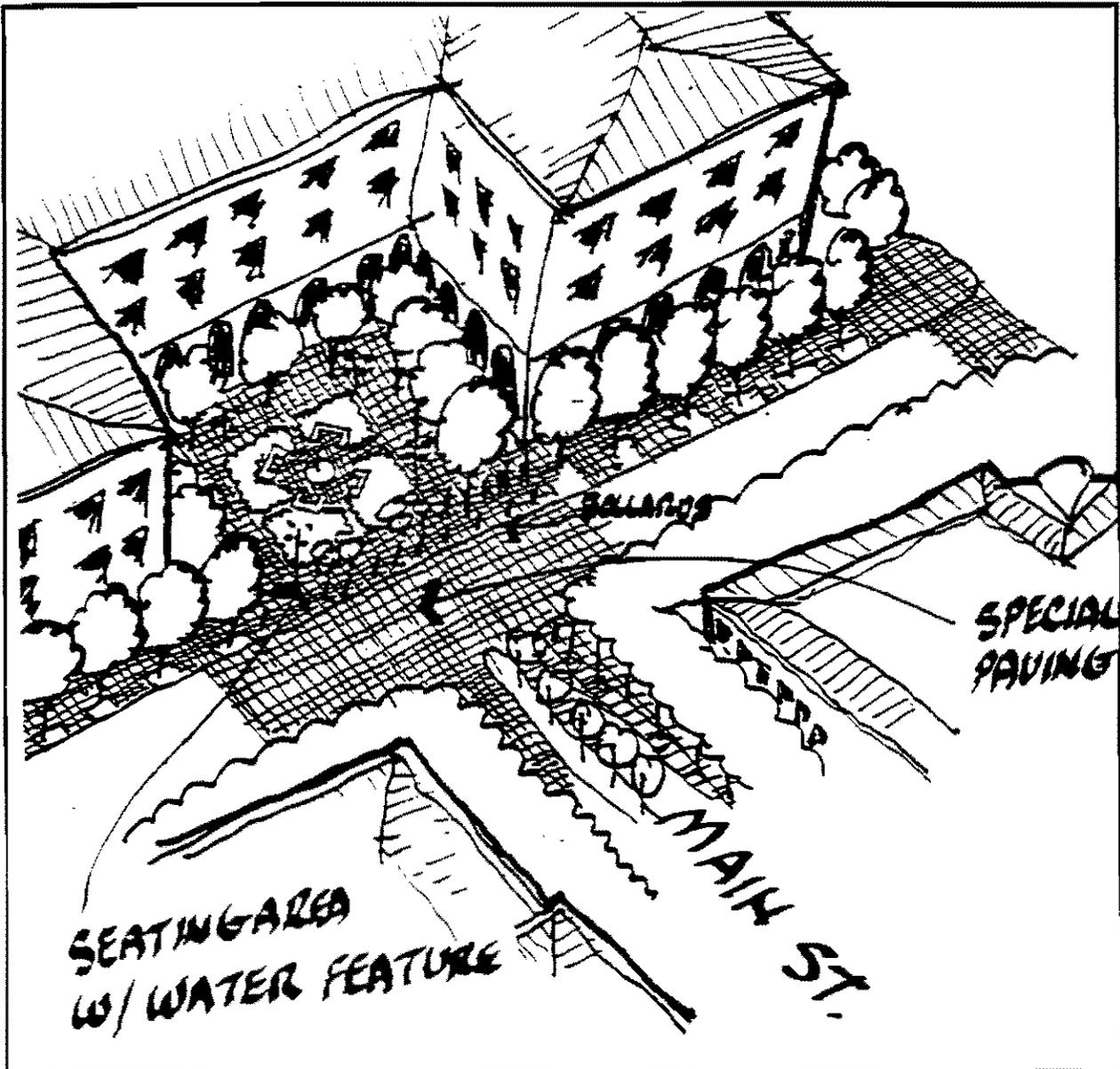
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**McLEAN CBC SUBAREA GUIDELINES**

**Subarea #22:** Old Dominion Drive, Beverly Road, and Ingleside Avenue.

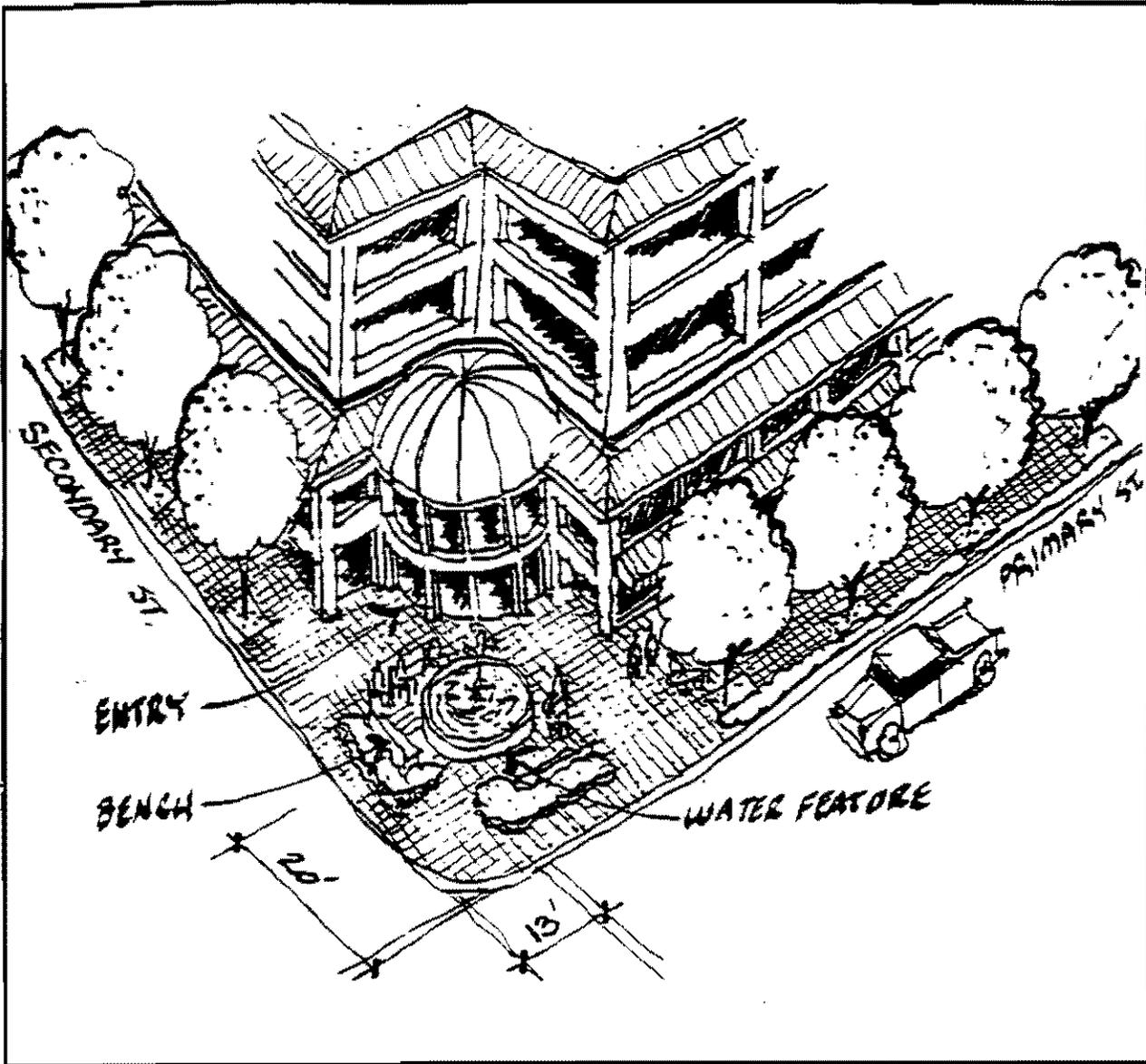
<b>Guidelines</b>	
<b>Planning Objective</b>	In Subblock A, mixed-use development should create a special place midblock along Beverly Road which is centered on axis with the Main Street Type A located with in Subarea #5. This space should be animated with restaurants and shops along the edges. An extended-stay inn or hotel is encouraged.
<b>Land Use Objective</b>	Mixed-use with ground floor retail. Intensity above .70 is permitted in Subblock A, if mixed-use development includes such uses as an extended-stay inn or hotel and is designed as a focal point for the northern end of "Main Street" in a manner that is compatible with the adjacent properties in terms of scale and character. Building heights of four and five stories is appropriate.
<b>Implementation Strategy</b>	Encourage provision of amenities and conformance with design objectives through appropriate rezoning and/or site plan approval process.
<b>Parking Requirement</b>	As required by zoning ordinance. Allow for off-site sharing of parking.
<b>Design Objective</b>	
<b>Public Space Guidelines (Subarea #22A)</b>	East (Old Dominion Drive): Public Walkway type E, or Commercial Office Walkway type H; Underground Utilities South (Beverly Road): Special Place Mid-block type C, or Public Walkway type F, or Commercial Office Walkway type H; Underground Utilities West (Ingleside Avenue): Public Walkway type G, or Commercial Office Walkway type H
<b>Building Envelope Guidelines (Subarea #22A)</b>	Special Place type C. Building entrances oriented toward Beverly Road and Old Dominion Drive; service and parking entrances from Beverly Road. Any new development should be compatible with adjacent existing and planned development in terms of scale and character.
<b>Building Relationships</b>	
<b>Special Considerations</b>	Building mass should frame space of all surrounding streets. Structured parking set behind at center of block.

### C. SPECIAL PLACE - MID BLOCK



A mid-block special place should be a plaza area that is designed as a dramatic terminal point for a major pedestrian concourse. The illustration shows an open space area at the intersection of Main Street and Beverly Road, which is approximately the width of Main Street. The open space or plaza should have architectural embellishments, planting and seating with distinctive paving and include shade and/or ornamental trees. The intersection should have decorative paving to define the linkage of the primary pedestrian street and the plaza. For the street frontage away from the plaza, shade trees are provided approximately 30 feet apart in 5-foot insets or a 5-foot planting strip. A minimum 5-foot sidewalk and an additional 5-foot landscaped and/or pedestrian amenity area between the sidewalk and building should be provided. This guidance applies to the Subareas as shown on the table in Appendix 9.

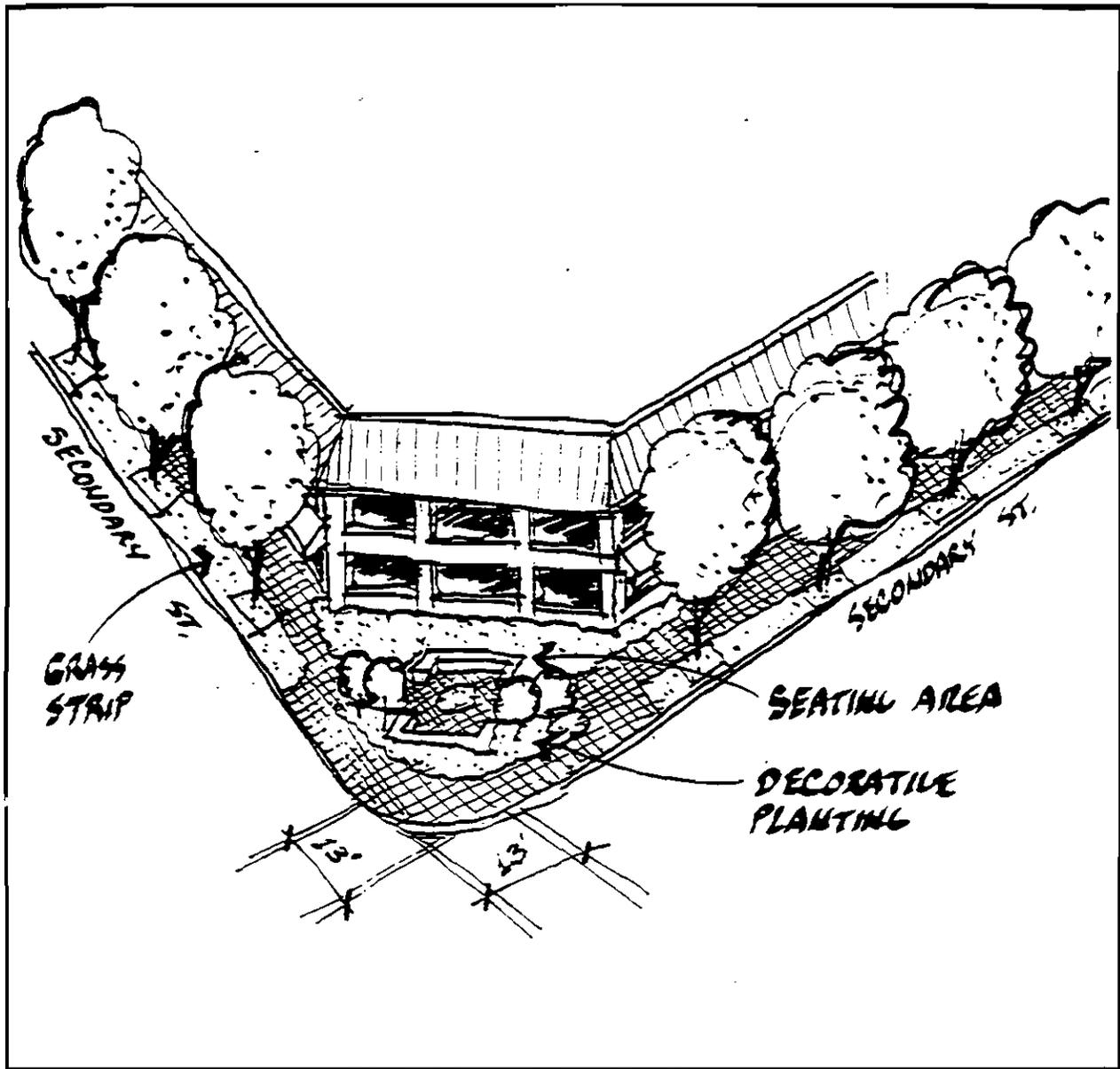
### C. SPECIAL PLACE - MAJOR CORNER



Major corners are located at the corner of a block where two pedestrian walkways intersect and where at least one pedestrian walkway is adjacent to a primary street. These areas should have additional architectural features and attractive landscaping that add to the sense of place. The illustration shows a major pedestrian walkway adjacent to a primary street with a building-line-to-curb width of 20 feet, and a secondary pedestrian walkway adjacent to a secondary street with a building-line-to-curb minimum width of 13 feet. The corner feature should have a protected seating area with hedges and low-profile shade or ornamental trees in addition to a fountain, public art and/or other amenities. For streetscape guidance away from the corner, see Design Standard Category "F" (i.e., Major Public Walkways) for the area adjacent to the primary street, and see Design Standard Category "G" (i.e., Minor Public Walkway) for the area adjacent to the secondary street. The Major Corner guidance applies to the Subareas as shown on the table in Appendix 9.

C. SPECIAL PLACE - MINOR CORNER

P. 13



Minor corners are located at the corner of a block where two pedestrian walkways intersect and where both pedestrian walkways are adjacent to secondary streets. The illustration shows a minimum of 13 feet between the curb and building line at the corner where a landscaped feature is provided. The corner landscaped feature includes a seating area, but also could be designed with a fountain and/or public art. The purpose of the corner treatment is to add to the sense of place. Adjacent to the secondary street away from the corner, street trees are provided approximately 30 feet apart in a 5-foot inset or a 5-foot planting strip with grass or ground cover. A minimum 5-foot sidewalk should be provided with an additional 5-foot landscaped and/or pedestrian amenity area between the sidewalk and building. This guidance applies to the Subareas as shown on the table in Appendix 9.

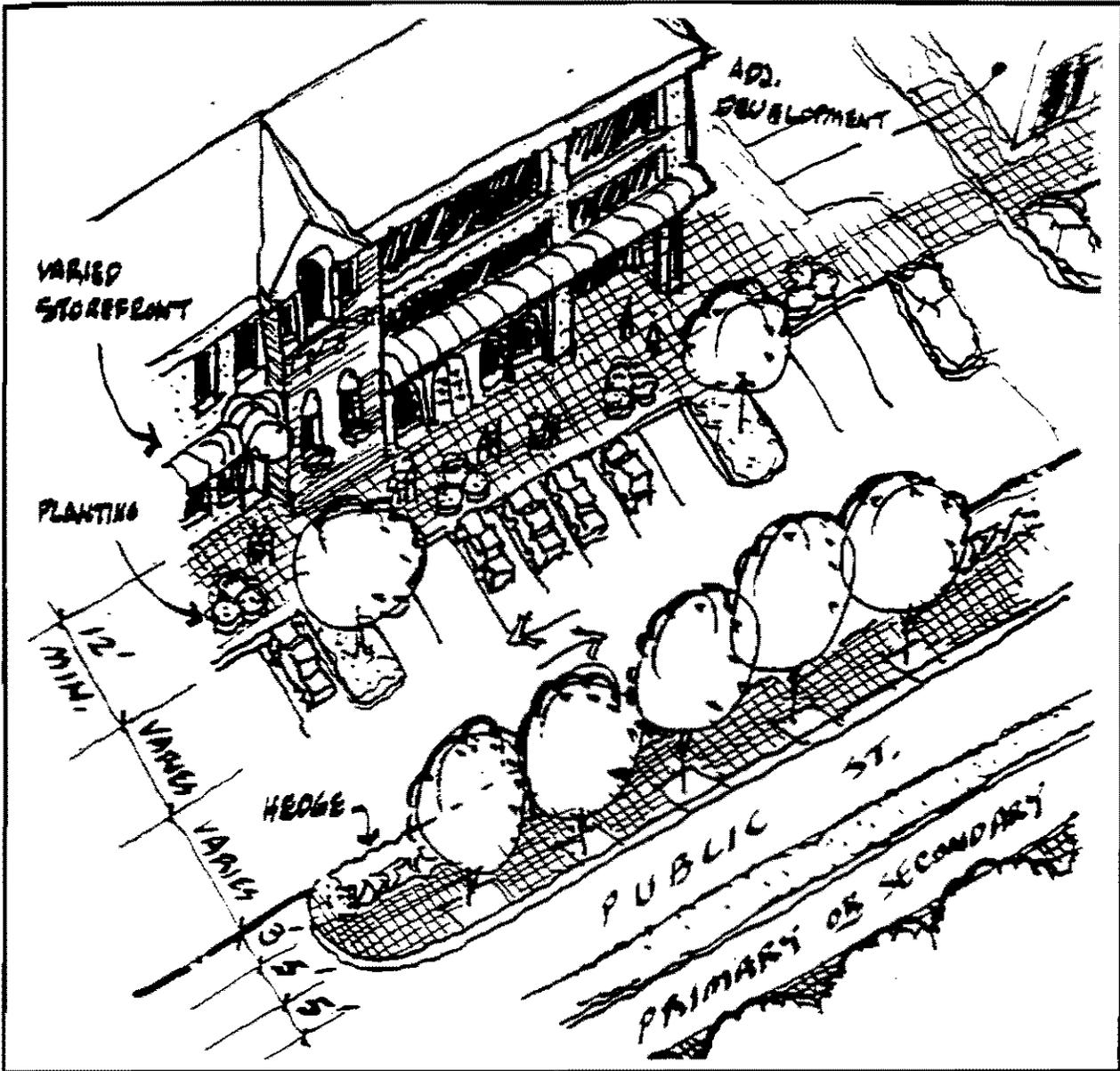
### E. MAJOR PUBLIC WALKWAY - ADJACENT TO PARKING

<b>Planning and Design Objectives</b>	Develop and maintain a strong visual edge along primary and secondary streets. Visually separate convenience retail parking from the arterial street.
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<b>Public Space Design Standards</b>	<ol style="list-style-type: none"> <li>1. Provide a single row of deciduous street trees along the public street.</li> <li>2. Sidewalk should primarily be precast concrete or cast-in-place concrete. Paving should be accentuated by simple narrow brick banding against the building face and be perpendicular to similar bands within the sidewalk.</li> <li>3. Provide expanded brick band in the utility strip right-of-way paralleling the curb.</li> <li>4. Provide unified street furniture, consisting of standard lights and trash containers. (At building entrances, provide benches, planter pots, and other furniture using the same visual characteristics as required elsewhere in the CBC.)</li> <li>5. Provide ground covers with flowering bulbs planted in tree pits.</li> <li>6. Provide public sidewalk adjacent to retail storefronts, continuing walkway to end with no step-off, to the adjacent development's pedestrian area.</li> <li>7. Provide one row of parking at storefront. (Parking can be either perpendicular or diagonal as shown).</li> <li>8. Provide low wall, hedge, or berm located on island between parking lot and street to provide separation between street and parking.</li> <li>9. Provide day lilies, flowering bulbs, and other perennial flowers at entrances to parking lot and along sidewalk area.</li> <li>10. Provide flowering trees planted within parking lot in spaces in designated planter islands. Low vegetation should be planted in islands.</li> <li>11. Provide pedestrian connections to adjacent developments which encourage safe and continuous pedestrian circulation.</li> </ol>
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<b>Recommended Tree Types</b>	See Appendix 4
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E. MAJOR PUBLIC WALKWAY - ADJACENT TO PARKING



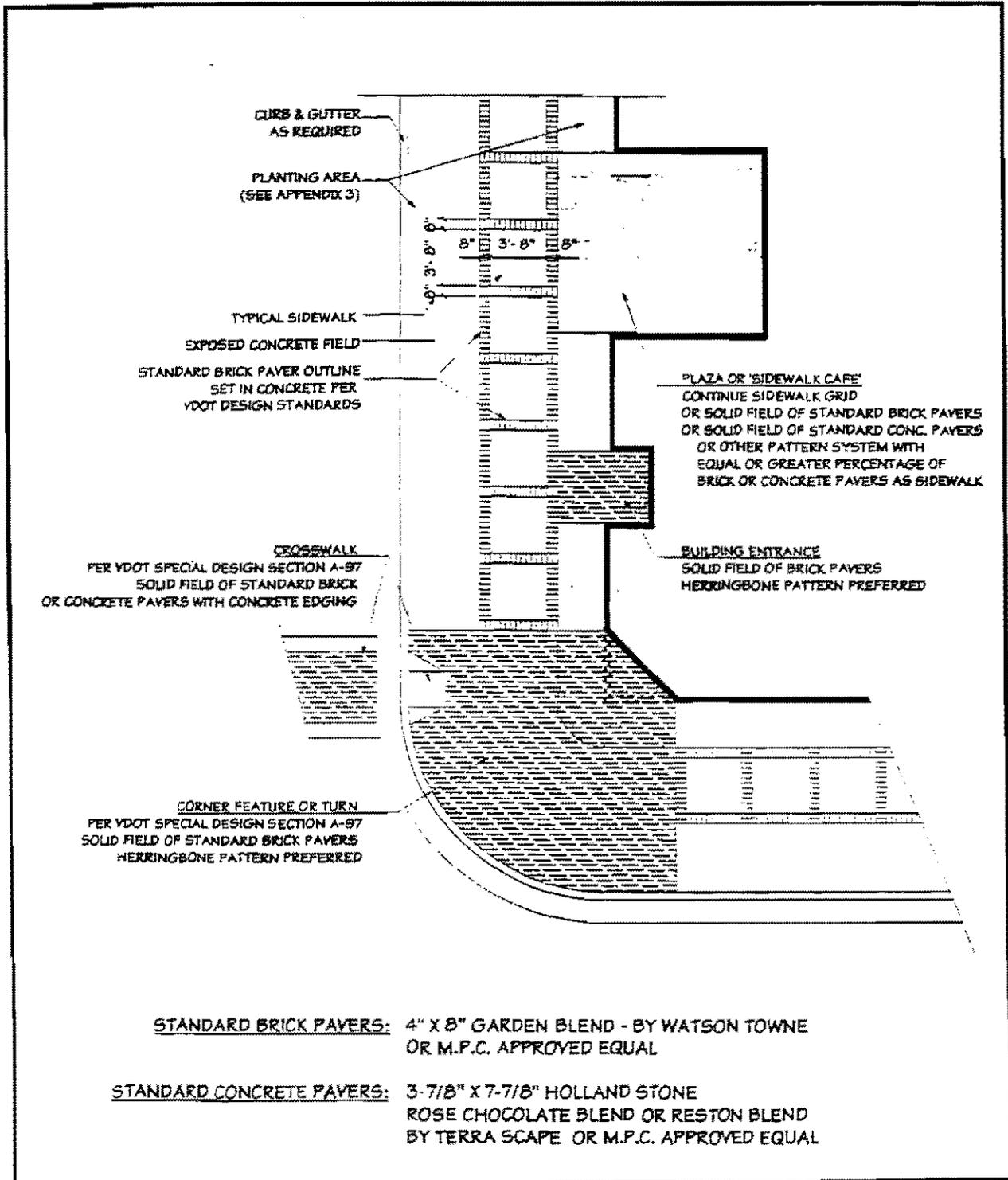
Where convenience retail parking is appropriate, the distance from the building facade to the inside curb line of the parking area should be 12 to 15 feet. The pedestrian concourse between the primary road and the parking lot should have shade trees planted in a 5-foot planting strip or alternately 5-foot by 5-foot insets, a minimum 5-foot sidewalk and 3-foot hedge width located between the sidewalk and the parking lot. Shade trees along the primary streets should be spaced approximately 30 feet apart and coordinated with lighting fixtures. This guidance applies to the Subareas as shown on the table in Appendix 9.

## APPENDIX 2 - SIDEWALKS

<b>Planning and Design Objectives</b>	To provide general flexible guidelines for optimum sidewalk widths for different circumstances, applicable to new construction, building expansions, renovations, and other improvements to existing conditions.
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<b>Guidelines</b>	<ol style="list-style-type: none"> <li>1. Sidewalks should generally range from 5 feet to 10 feet in width. However, sidewalks as narrow as 4 feet may sometimes be appropriate when wheelchair turnarounds are provided. Sidewalks wider than 10 feet may also be appropriate under certain special circumstances. Determining the appropriate sidewalk width is a function of the design objectives as stated by the applicable design standard category and the following factors which may establish a basis to reduce or increase the design standard category width.</li>   <li>2. In order to vary sidewalk widths from the design standards category guidance, the following factors should be considered;             <ol style="list-style-type: none"> <li>a. The amount of present and anticipated pedestrian use.</li> <li>b. The widths of existing adjoining sidewalks and their likely permanence.</li> <li>c. Possible use by bicycles as well as pedestrians.</li> <li>d. The type of road, road speed and the corresponding need to keep pedestrians back from the curb except at crossings.</li> <li>e. Type of buildings or space alongside sidewalks, e.g.; (1) ground floor shops where window shopping would call for wider sidewalks (about 10 feet); (2) ground floor restaurants with seasonal sidewalk tables (even wider than 10 feet); (3) office buildings without first floor shops or restaurants where medium sidewalks (about 7 feet) would permit landscaping between sidewalk and buildings; (4) parking areas where narrower sidewalks (5 feet) will allow space for hedge screening (See Appendix 3).</li> <li>f. The need for adequate, plantable green strips between sidewalk and curb (see also Appendix 3).</li> <li>g. Special circumstances (as identified above and in the Design Standards), calling for very wide sidewalks, relieved by planting cutouts, street furniture, etc. and other special circumstances (such as embankments) allowing only a very narrow sidewalk.</li> <li>h. The need to reduce or vary sidewalk width to save existing trees.</li> </ol> </li>   <li>3. Sidewalks should be constructed of a variety of paving materials including standard brick and concrete pavers as shown in the illustration on the next page.</li> </ol>
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# APPENDIX 2 (continued) - SIDEWALKS



## APPENDIX 3 - STREETSCAPE PLANTINGS (and other plantings visible from the street)

<p><b>Planning and Design Objectives</b></p>	<p>To provide for attractive streetscapes and related planting, which are an essential element to the CBC's revitalization. The following guidelines apply to new construction, renovation, building expansions, and other improvements to existing conditions. (These general guidelines should be applied in conjunction with the provisions for streetscapes and other plantings in the various circumstances addressed under the Design Standard Categories A through L).</p>
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<p><b>Guidelines</b></p>	<ol style="list-style-type: none"> <li>1. Adequate planting strips should be provided between the sidewalk and curb, which can accommodate avenues of shade trees. This location is preferred to planting trees further from the curb (e.g., on the other side of the sidewalk or cutouts in wider sidewalks).</li> <li>2. The minimum width of planting strips with shade trees should be 5 feet, unless not feasible due to site constraints.</li> <li>3. Where it is not feasible to provide a 5-foot planting strip due to existing circumstances, planting should be made in narrower strips (including most existing strips) under VDOT's new, more flexible policies, particularly where traffic speeds are low. For example, narrow existing strips (at least 18 inches) can be widened at each shade tree location by providing sidewalk cutouts, with root guards lining the sidewalk and curb.</li> <li>4. Only when existing circumstances do not provide an opportunity to create a usable green strip, shade trees may be planted on the other side of the sidewalk, or in cutouts in wider sidewalks.</li> <li>5. When there is adjoining parking space, shade trees should be supplemented wherever feasible by evergreen hedges in planting strips between the sidewalk and the parking space, high enough to obscure most cars but low enough not to obscure shop signs. (See also Design Standard Category D and Appendix 5).</li> <li>6. Trees should be planted within parking lots in planting islands or strips and/or in cutout planters, as well as on the periphery. The combined planting areas should be at least 15 percent of the gross area for all nonresidential properties, including at least 5 percent of the interior area of any parking lot of over 20 parking spaces. Peripheral landscaping should generally be 10 feet wide.</li> <li>7. To the extent possible, interior and peripheral landscaping should be configured to save existing significant trees.</li> <li>8. Shade trees and other landscaping are encouraged in traffic medians and islands, again taking advantage of VDOT's flexibility.</li> <li>9. Recommended spacing between shade trees is 30 feet at center, but this can be adjusted to accommodate such factors as curb cuts, overhead lines, etc.</li> </ol>
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### APPENDIX 3 (continued)

<b>Guidelines</b>	<ol style="list-style-type: none"><li>10. Recommended size of shade trees at planting is 2 ½ inches caliper.</li><li>11. In general, large deciduous shade trees should be used as street trees as well as for parking lot interiors, but smaller trees may have to be used in certain circumstances, e.g. overhead lines and VDOT restrictions on narrower traffic median strips and islands and on those without barrier curbs.</li><li>12. Types of shade trees used can be varied, but it is recommended that one type be used for a given distance (e.g. a short block or a stretch between curb cuts in a long block) before switching to another type.</li><li>13. Ornamental trees may be used to supplement shade trees, e.g. on the other side of sidewalks where space permits, in cutouts from wide sidewalks, in island cutouts in parking lots as well as peripheral planting, and even as street trees where low overhead wires prevent larger trees.</li><li>14. Ornamental shrubs, bulbs and other flowers, and ground covers should be added to tree planters and strips, as well alongside buildings as long as they do not impede window shopping.</li></ol>
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See Appendix 4 for suggested trees, screens and hedges and Appendix 5 for parking area landscaping standards.

## APPENDIX 4 - LANDSCAPE TREES AND PLANTS

In laying out the design for public and private streets, care should be given to the selection of trees and plants that are appropriate to the use intended regarding shade in parking lots and visual order along the streets and pedestrians circulation areas.

### MAJOR SHADE TREES SUGGESTED FOR STREETS AND PARKING LOTS

Willow Oak (*Quercus phellos*)  
Red Oak (*Quercus rubra*)  
Pin Oak (*Quercus palustris*)  
Japanese Zelkova (*Zelkova serrata*)  
*Ginkgo Biloba* or *Fastigiata* (Sentry) - male only  
Red or Scarlet Maple (*Acer rubrum*)  
Sugar Maple (*Acer saccharum*)  
River Birch (*Betula nigra*)  
Black Gum or Tupelo (*Nyssa sylvatica*) - slow growing  
Crimean Linden (*Tilia euchlora*)  
Chinese Elm (*Ulmus parvifolia*)  
American Elm (*Ulmus americana*) - cultivars only

### MEDIUM AND SMALLER TREES SUGGESTED FOR STREETS AND PARKING LOTS WHERE CIRCUMSTANCES DO NOT PERMIT MAJOR SHADE TREES

Trident Maple (*Acer buergerianum*)  
Hedge Maple (*Acer campestre*)  
Amur Maple (*Acer ginnala*)  
Goldspire Sugar Maple (*Acer saccharum goldspire*)  
Bowhall Red Maple (*Acer rubrum bowhall*)  
Crape Myrtle (*Lagerstroemia indica*)  
Chinese Pistache (*Pistacia chinensis*)  
Callery Pear (*Pyrus calleryana*) - cultivars only  
Sawtooth Oak (*Quercus acutissima*)  
Golden Raintree (*Koelreuteria paniculata*)

### SUGGESTED ORNAMENTAL TREES

Paperbark Maple (*Acer griseum*)  
Japanese Maple (*Acer palmatum "Bloodgood"*)  
Fern Leaf Maple (*Acer japonicum*)  
Chinese Redbud (*Cercis chinensis*)  
White Fringetree (*Chionanthus virginicus*)  
Kousa Dogwood (*Cornus kousa*)  
Mas Dogwood (*Cornus mas*)  
Carolina Silverbell (*Halesa carolina*)  
Golden Raintree (*Koelreuteria paniculata*)  
Crape Myrtle (*Lagerstroemia indica*)  
Saucer Magnolia (*Magnolia x Soulangeana*)  
Star Magnolia (*Magnolia x Stellata*)  
Sweetbay, Laurei or Swamp Magnolia (*Magnolia virginiana*)  
Persian Parrotia (*Parrotia persica*)  
Chinese Pistache (*Pistacia chinensis*)  
Callery Pear (*Pyrus calleryana*) - cultivars only  
Japanese Snowbell (*Styrax arborea*)  
Downy Serviceberry (*Amelanchier arborea*)  
Sourwood (*Oxydendron arboreum*)  
Franklinia (*Franklinia alatamaha*)

APPENDIX 4 (continued)

**SUGGESTED SCREEN TREES (Evergreen)**

Leyland Cypress (*Cupressocyparis x Leylandii*)

Foster Holly (*Ilex x Attenuata* "Fosteri")

*Arbor vitae*

*Juniper virginiana*

Yews (*Taxus*) - *Stricta*

Yews (*Taxus*) - *Hicksii*

*Osmanthus*

Canadian Hemlock (*Tsuga canadensis*)

*Photinia x Fraseri*

**SUGGESTED HEDGES (Evergreen)**

Japanese Holly (*Ilex crenata*)

Japanese Holly (*Ilex convexa*)

Blue Holly (*Ilex meserveae*) - part shade

*Ilex boxifolia*

*Ligustrum ricurvifolia*

Common Boxwood (*Buxus sempervirens*)

*Photinia x Fraseri*

*Euonymus manhattan*

English or Cherry Laurel (*Prunus laurocerasus*)

Schipka ("Skip") Laurel (*Prunus laurocerasus schipkaensis*)

Leatherleaf Viburnum (*Viburnum rhytidophyllum*)

*Cotoneaster mucidus*

Scotch Broom (*Cytisus*)

## APPENDIX 5 - PARKING AREAS

<p><b>Planning and Design Objective</b></p>	<p>In laying out parking areas, the developer should refer to the appropriate section of the Fairfax County zoning ordinance and its amendments. Wherever possible, the maximum amount of parking space credits for the purposes of landscaping should be used as provided under the code.</p>
<p><b>Design Guidelines</b></p>	<ol style="list-style-type: none"> <li>1. The first drawing illustrates the condition where a minimum dimension exists between parking aisles. Planters with these dimensions and configuration can be used without losing parking space credit. The illustration shows the relationship of the planter and vehicular placement.</li> <li>2. Tree placements are shown on the the illustrations on the following pages for minimum landscaping condition. Should larger planting areas be feasible, these trees should be placed in groupings or in special cases, one of the specimen trees can be used.</li> <li>3. At the ends of all parking aisles a planting area with screen hedging and trees should be provided.</li> <li>4. All excess space between parking aisles should be used as a planting strip with a porous material or ground cover being used within the 2'-0" overhang space.</li> <li>5. Between adjacent properties a "green strip" should be provided to accommodate planting of trees, landscaping and, where desirable, pedestrian walkways.</li> <li>6. A minimum of 5% landscaped area should be provided within the parking area (not including perimeter landscaping).</li> <li>7. Low hedges are to be used where eye level visibility is required such as in front of shopping center parking areas. High hedges are to be used for complete visual screening. (See Appendix 4 for hedge plant listings).</li> </ol>
<p><b>Recommended Tree Types</b></p>	<p>See Appendix 4</p>

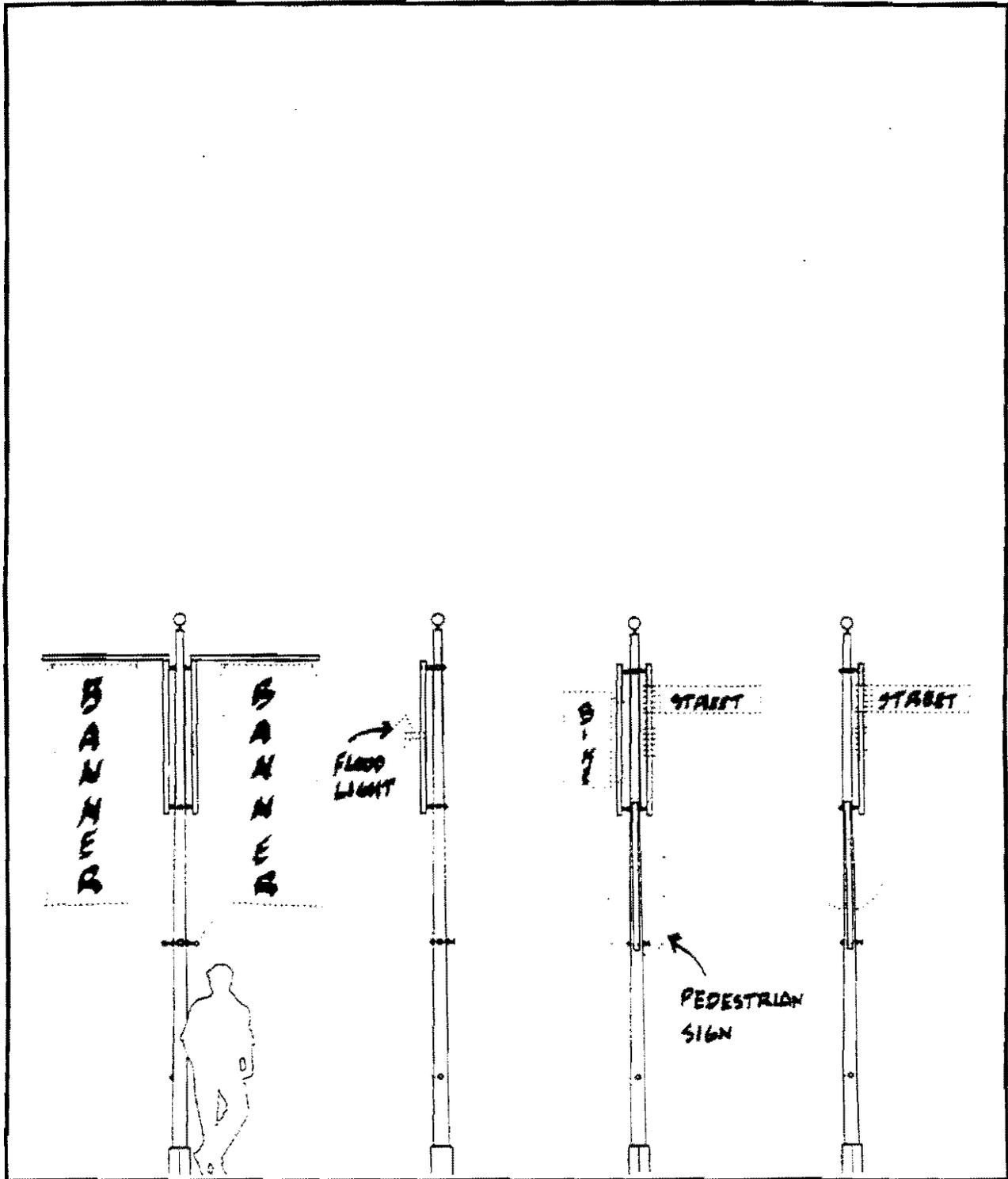
## APPENDIX 6 - STREET FURNITURE

<b>Planning and Design Objectives</b>	Establish a consistent standard for the treatment of the public ways with unified street furniture elements grouped or placed within the public space so as to enhance the pedestrian attraction and function of the CBC. The items described below are for illustrative purposes only. Comparable alternatives are acceptable.
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<b>Design Standards</b> <b>Bike Rack</b>	12. Se'lux SX97-124-0 (or equal) - Black galvanized metal frame, mounted into bollards, holds 5 bikes (2100 mm. w 48 mm dia)
<b>Pedestrian Light</b>	13. Zardin Garden Planters by Canterbury Designs (or equal). Lightweight concrete, tan color, sand blasted finish, approved size 1'-6" dia x 2'H and 3'6" dia x 2'H. Intensity should be on the range of 70 ti 250 watts.
<b>Trash Container</b>	14. Painted black steel basket with fiberglass lid and standard plastic pines container. Produced by Victor Stanley, Inc. (or equal) (3'Hx2'6" dia - interior container dia 18")
<b>Benches</b>	15. Natural colored slatted wood with painted black pedestal and arm rests between two bollards 2000 ml, mounted.
<b>Pedestrian Lights</b>	16. Se'lux SATURN I (or equal) lantern. Black finish for pole top mounting, dia 90 mm, diecast aluminum filter. Clear with mirror louvre, removable flat aluminum cover, inside white.
<b>Street Light</b>	17. Se'Lux environmental Design System URB1 - (or equal) double. 2X roadway fitting, 1X pathway fitting, two piece structural sphere (PC), dia 500 mm., IP 44, Aluminum reflector, tapered steel pole, dia. 116/212 mm, diecast aluminum painted black. Bulb intensity should range from 200 to 400 watts.
<b>Parking Lot Light</b>	18. Gardo Form (or equal) 10 E/H Arm mount. cutoff luminaire with height and size to be determined by spacing and photometrics. Type 3 distribution. Metal Halide lamps with black aluminum finish. Bulb intensity should range from 200 to 400 watts and be shielded to prevent glare.
<b>Bollard Light</b>	19. Bollard Lights - Se'lux SX75 (or equal) black painted diecast, aluminum low profile luminaire (200 mm dia, 1305 mm H)
<b>Bus Shelter</b>	20. Bush Shelter - Skyland ST4 (or equal) in black painted supports with blue roof color.

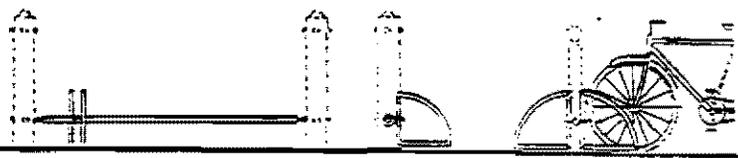
\* Street furniture shown is for illustrative purposes only and is not necessarily indicative of the type of furniture that will be selected.

APPENDIX 6 (continued) - STREET FURNITURE/signing

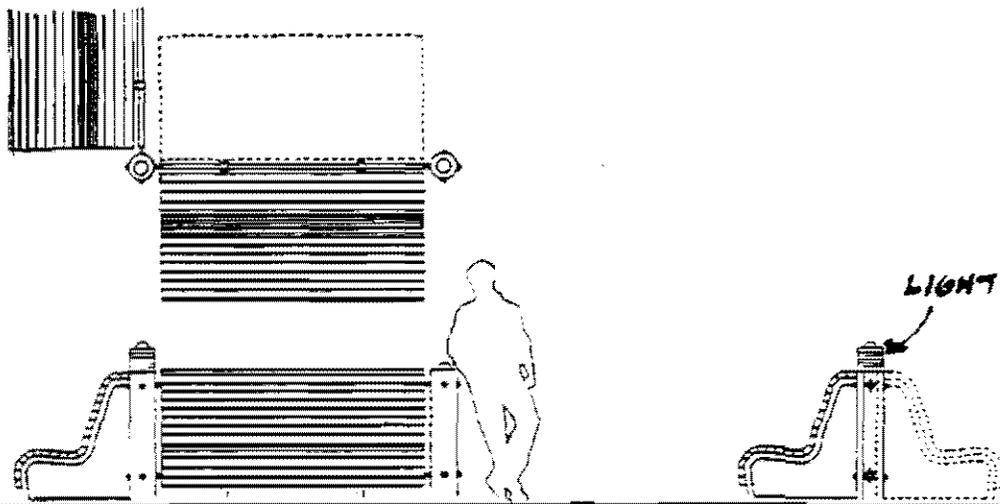


APPENDIX 6 (continued) - STREET FURNITURE

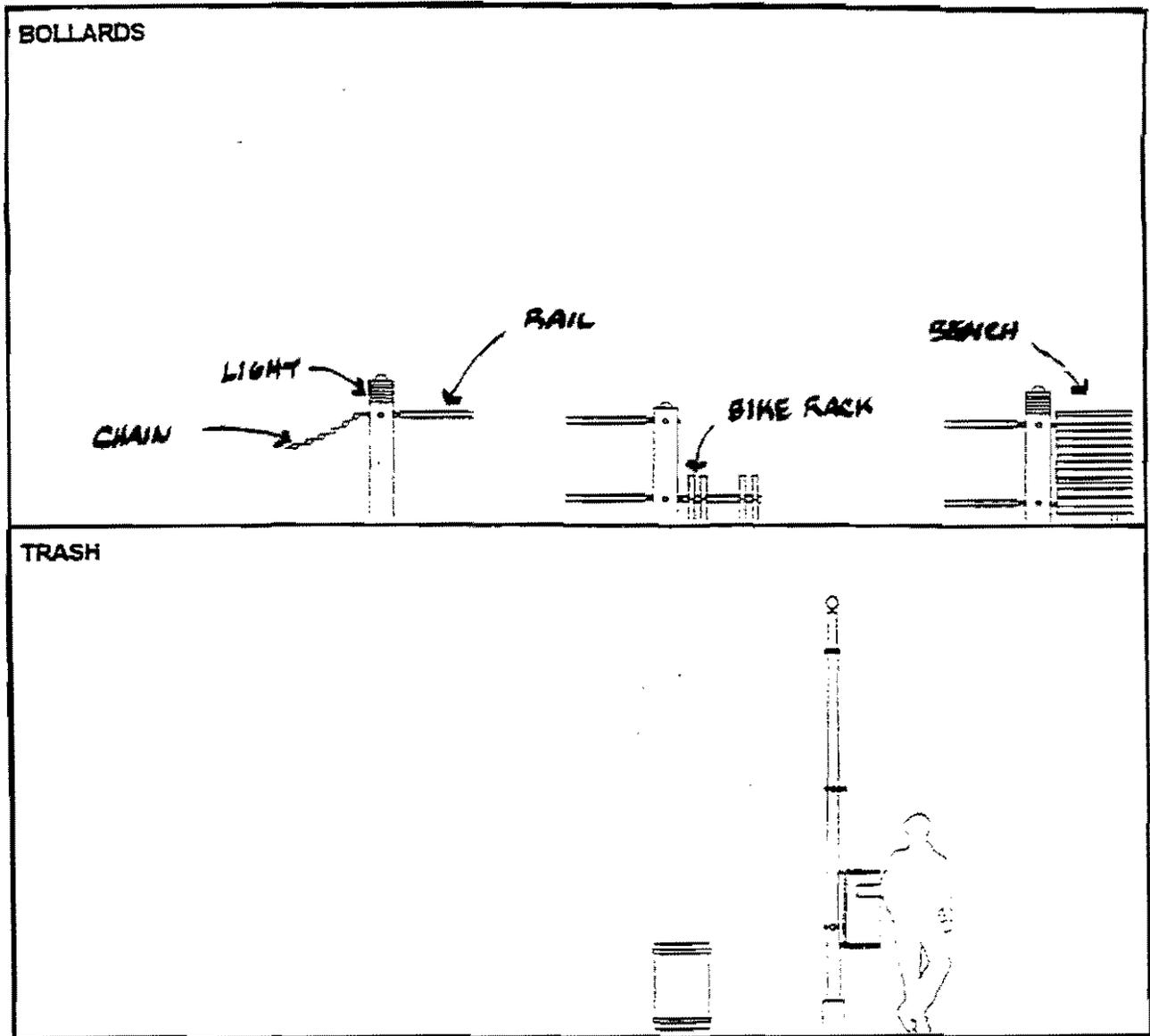
BIKE RACK



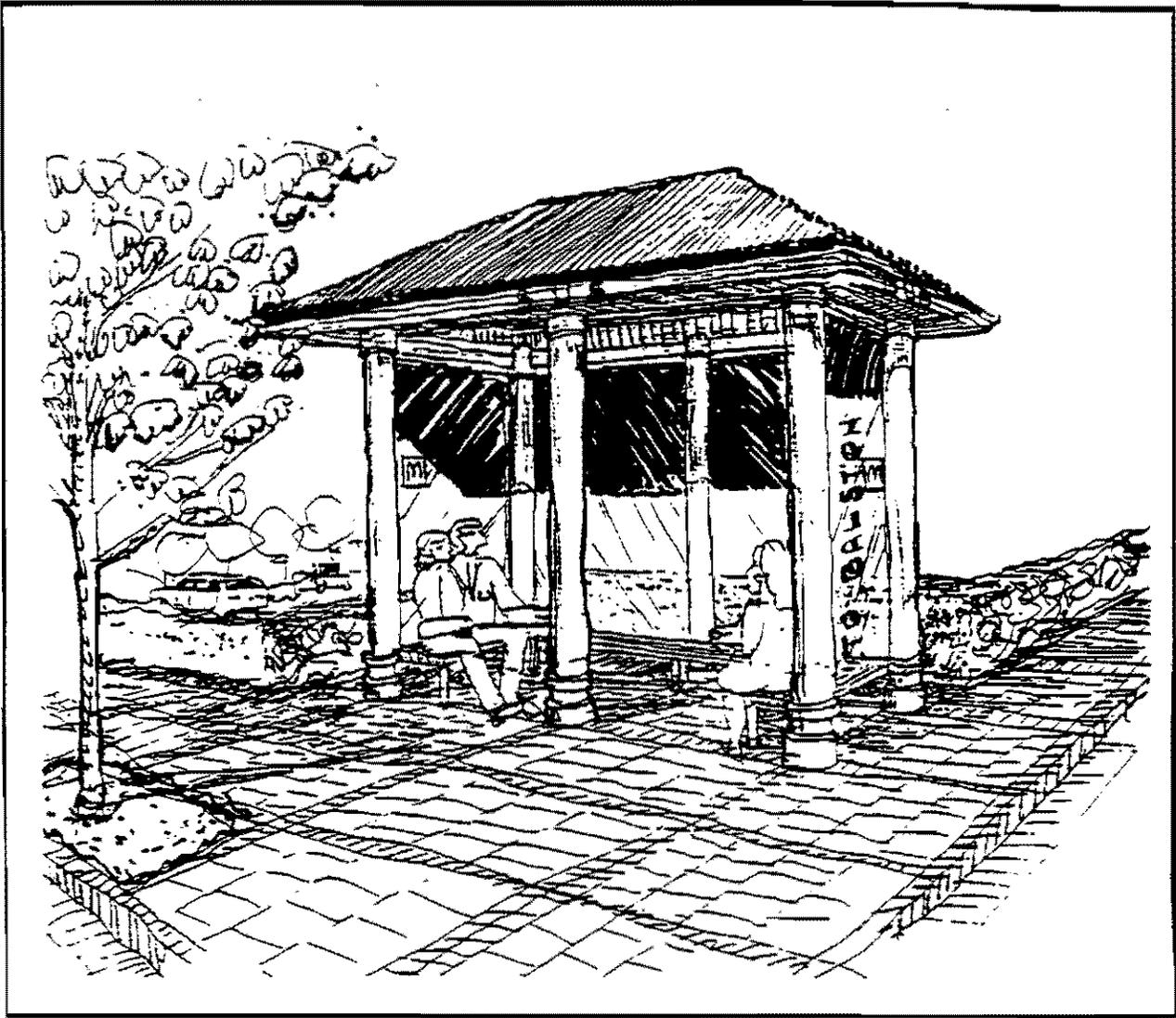
BENCH



# APPENDIX 6 (continued) - STREET FURNITURE



APPENDIX 6 (continued) - STREET FURNITURE/bus shelter

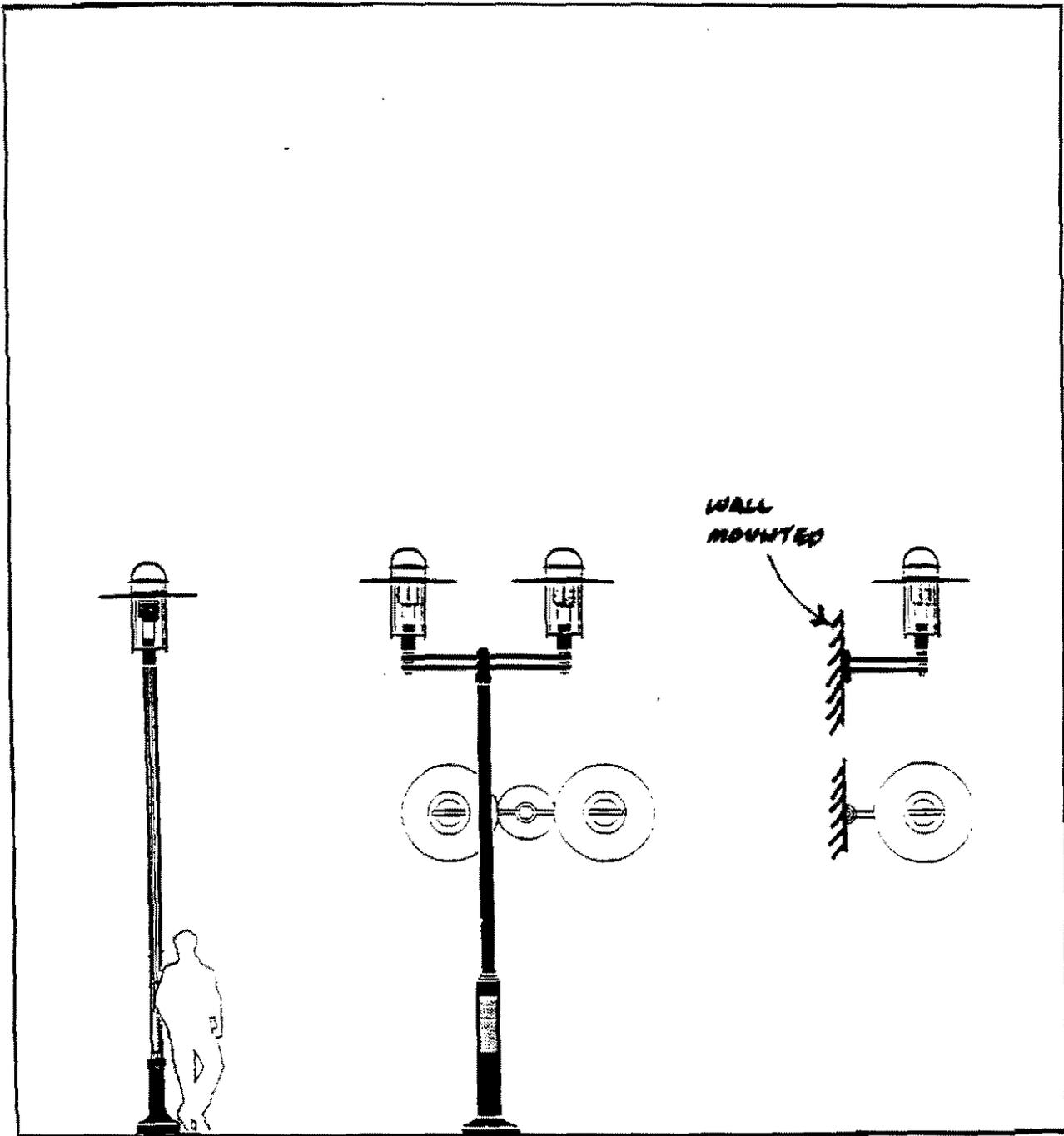


## APPENDIX 7 - LIGHTING

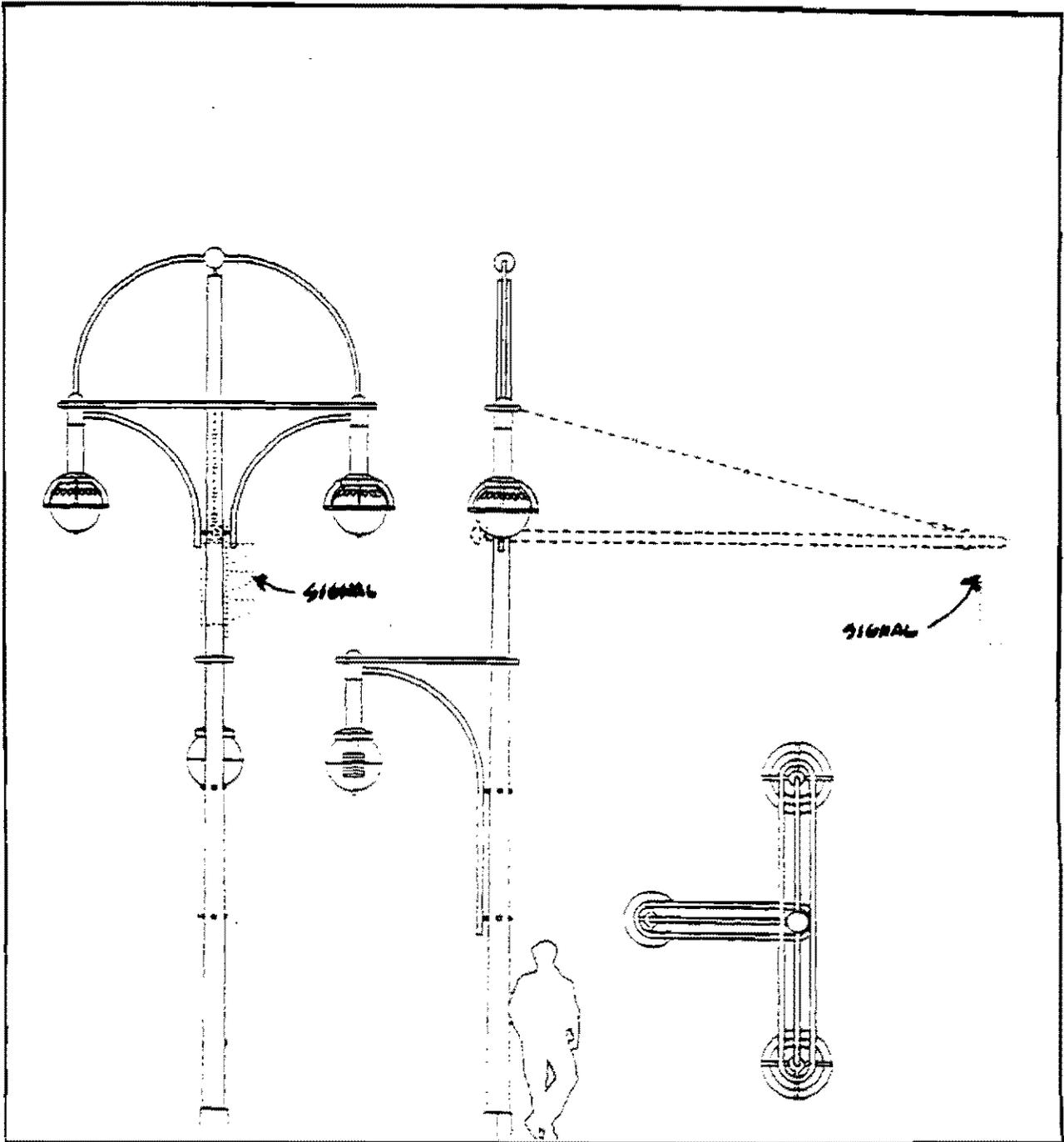
<p><b>Planning and Design Objectives</b></p>	<p>It is important that all exterior lighting be consistent with and complement the overall standards for lighting within the CBC. For any single building or project, exterior lighting should be compatible with and appropriate for the building architecture, material(s) and color(s). Lighting should be consistent throughout to maintain the overall character and quality.</p> <p>In general, street, parking lot and pedestrian lighting should be used to illuminate key areas such as vehicular entrances, building entrances and site circulation elements including streets, sidewalks and pathways. Site lighting shall be designed to levels required for public safety without creating glare or high intensity.</p>
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<p><b>Design Standards</b></p>	<ol style="list-style-type: none"> <li>1. All light fixtures shall be designed and located so as to avoid glare and excessive brightness.</li> <li>2. Intensified or special effect lighting will be considered by the McLean Planning Committee for situations requiring a dramatic effect, highlight, or other unique application.</li> <li>3. The "washing" or highlighting of any building with lighting must receive specific approval from the McLean Planning Committee.</li> <li>4. Generally, wall packs are not permitted due to their glare and intensity. However, the McLean Planning Committee may approve wall packs depending upon their location, size, wattage, mounting height on the building and relative difficulty of providing other types of lighting. Wall packs should not direct glare or intensity onto adjacent streets or buildings. Any wall packs permitted should be a "cut-off" type to direct lighting downward.</li> <li>5. The McLean Planning Committee reserves the right to ask the applicant, tenant, building owner or other responsible party to reduce the intensity of the lighting after installation, if the MPC determines that the light is too bright or creates excessive glare.</li> <li>6. Applicants should submit plans that include detailed drawings and specifications of lighting including type, wattage, material, color, etc.</li> </ol>
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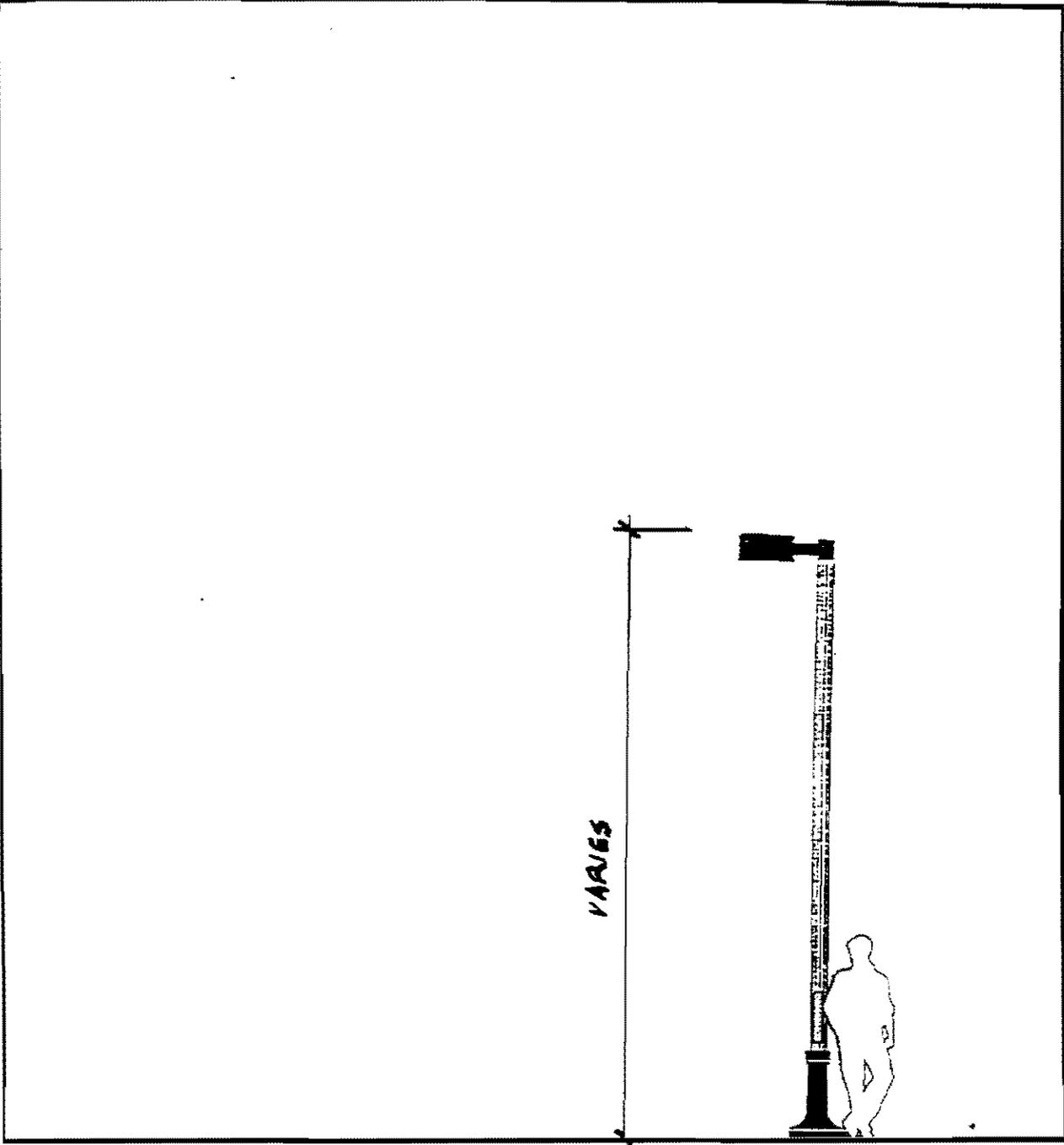
APPENDIX 7 (continued) - LIGHTING/pedestrian lighting



**APPENDIX 7 (continued) - LIGHTING/street lighting  
(MAIN STREET AND CHAIN BRIDGE ROAD)**



**APPENDIX 7 (continued) - LIGHTING/cut-off lighting  
(PARKING LOTS AND OLD DOMINION DRIVE)**



## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
MAY 19 1999

ZONING EVALUATION DIVISION

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

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

**FILE:** 3-4 (RZ 1999-DR-012)  
3-5 (SE 99-D-015)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 1999-DR-012 and SE 99-D-015; Pence-Mclean Hotel  
Traffic Zone: 1460  
Land Identification Map: 30-2 ((1)) 17, 18

**DATE:** May 18, 1999

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on information made available to this Department dated May 3, 1999.

The referenced application is a request to rezone from the C-6 to C-3 zoning designation concurrent with the processing of a Special Exception. It is anticipated the 150 room hotel portion of the site will generate 1,338 VPD/90 VPH trips and if developed as an office building 1,064 VPD/63 VPH trips based on Trip Generation, Sixth Edition: Institute of Transportation Engineers, 1997 (ITE land use codes 310 and 710). This Department has reviewed the subject application and offers the following comments:

#### **Right-of-Way Dedication**

- The applicant should dedicate right-of-way along Beverly Road that is consistent with the right-of-way cross section on Beverly Road at the eastern end towards Old Dominion Drive.
- The brick paver sidewalks should be located within the VDOT right-of-way and should include a 1' foot maintenance strip from edge of sidewalk to property line as part of the right-of-way dedication.

Barbara Byron  
May 18, 1999  
Page 2

**Development Alternatives**

- If the site is developed as a office building with support retail, then an inter parcel connection should be provided to parcel 15.

**Service Drive**

- This Department would support waiver of the service drive requirement along Old Dominion Drive.

AKR/MGC:mgc

cc: Michelle Brickner, Director, Site Review Division, Department of Public Works and Environmental Services

- 2I-1502-99



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

3975 FAIR RIDGE DRIVE  
FAIRFAX, VA 22033  
(703) 383-VDOT (8368)

April 27, 1999

DAVID R. GEHR  
COMMISSIONER

THOMAS F. FARLEY  
DISTRICT ADMINISTRATOR

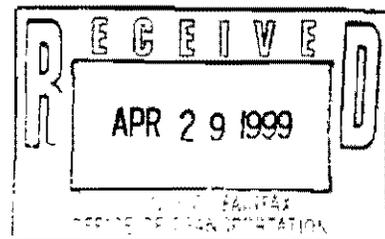
Ms. Angela Rodeheaver  
Chief of Site Analysis  
Department of Transportation  
12055 Government Center Parkway, Suite 1034  
Fairfax, Virginia 22035-5511

Re: Grand Duke Hotel, McLean  
Fairfax County No.: RZ 99-DR-012, SE 99-D-015

Dear Ms. Rodeheaver:

I am writing in response to your April 19, 1999 memorandum requesting the Virginia Department of Transportation's position on the sidewalks within the right of way. We offer the following:

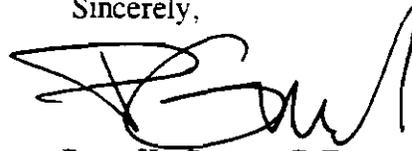
- The sidewalk must be within the right of way to qualify for VDOT maintenance.
- VDOT maintenance of the sidewalk should be from the front edge of the sidewalk to 1 foot inside of the right of way.
- Sidewalk construction must conform to the current VDOT Road and Bridge Specifications and VDOT Road and Bridge Standards. The requirements of the VDOT I&I Memorandum LD-95 (D) 218 must be met for a consideration of brick paver sidewalk / crosswalk installations.
- Maintenance of all sidewalks inside of the right of way that does not qualify for VDOT maintenance must be assured by Fairfax County.
- The use of pavers within the VDOT right of way will only be allowed upon written request from an appropriate Fairfax County official.
- The clear sidewalk width should be 1.2-m (4 ft) at a minimum.
- A typical street cross-section should be provided for review.



Ms. Angela Rodeheaver  
April 27, 1999  
Page Two

If you have any questions, please call me at (703) 383-2424.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter K. Gerner". The signature is stylized with a large, sweeping initial "P" and a long, thin tail extending to the right.

Peter K. Gerner, P.E.  
Transportation Engineer

cc: Dorothy A. Purvis  
Frank D. Edwards  
Gary L. Yowell  
Noreen H. Maloney



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF TRANSPORTATION

3975 FAIR RIDGE DRIVE  
FAIRFAX, VA 22033  
(703) 383-VDOT (8368)

DAVID R. GEHR  
COMMISSIONER

THOMAS F. FARLEY  
DISTRICT ADMINISTRATOR

March 31, 1999

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING

APR 6 1999

ZONING EVALUATION DIVISION

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

Re: RZ 99-DR-012/SE 99-D-015, Grand Duke Hotel, McLean  
Tax Map No.: 030-2 /01/ /0017, 18

Dear Ms. Byron:

This office has reviewed the generalized development plan/special exception plat relative to the above-mentioned applications and offers the following comments.

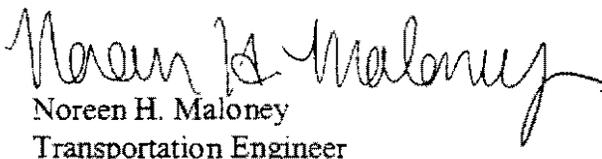
The applicant proposes to develop a 150-room extended stay hotel.

Access to the hotel will be via an entrance from Beverly Road and Old Dominion Drive. All proposed sidewalks need to be constructed within the right-of-way along Beverly Road. The applicant should dedicate 26 feet of right-of-way from the centerline to the face of curb.

The requirements of the VDOT I & I Memorandum LD-95 (D) 218 (attached) must be met for consideration of brick paver sidewalk/crosswalk installations. This memorandum does not include and we do not support the use of brick pavers for the actual roadway surface.

For additional information, please do not hesitate to contact his office.

Sincerely,

  
Noreen H. Maloney  
Transportation Engineer

cc: Mr. R. L. Moore TRANSPORTATION FOR THE 21ST CENTURY

# LOCATION AND DESIGN DIVISION

## INSTRUCTIONAL & INFORMATIONAL MEMORANDUM

GENERAL SUBJECT: SIDEWALKS/CROSSWALKS		NUMBER: LD-95 (D) 218
SPECIFIC SUBJECT: GUIDELINES FOR THE USE OF SOLID PAVING UNITS		DATE: December 12, 1995
CATEGORICAL INDEX SECTION(S): A, I, J	SIGNATURE: <i>James J. Harris</i> <i>Trans. Engr. Prog. Supv.</i>	

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### EFFECTIVE DATE

- This memorandum will be effective upon receipt.

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### POLICY

- Pavers will be installed within VDOT right-of-way only upon written request from a locality for such installation.
- Pavers will be installed in accordance with VDOT and ADA design requirements.
- Cost for paving units included in a VDOT construction project will be incurred by VDOT at the normal project participation rate. Cost for paver installations on existing roadways or roadways outside VDOT's system will be incurred by the entity requesting the installation.
- VDOT will be responsible for the repair and replacement of damaged pavers meeting VDOT's design requirements that are located within the right of way.
- Localities requesting the use of pavers not in conformance with VDOT's design details will be responsible for the repair and replacement of damaged pavers. VDOT will be responsible for ordinary maintenance such as snow removal within the roadway but will not be responsible for pavers that are damaged by this or other ordinary maintenance processes.

- Boring is required for the installation of utilities under paver crosswalks (trenching is not allowed) by utility companies. Utility companies will be required to repair or replace damaged paver units in accordance with VDOT requirements.
- District personnel (usually the Resident Engineer or their representative) will provide copies of and/or discuss these guidelines with requesting localities.

---

#### DESIGN GUIDELINES

- VDOT's sidewalk/crosswalk design details using paver units intends to comply with ADA requirements by attempting to prevent any incidental settlement to occur that would cause a change in level between pavers of more than 6 mm ( $\frac{1}{4}$ " ).
- If a roadway with crosswalk pavers is to be overlaid, the existing roadway pavement must be milled to the crosswalk grade.

---

#### PAYMENT

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<u>Item</u>	<u>Unit</u>	<u>Item Code No.</u>
Sidewalk, Brick Paving Units	SQ. M. (S.Y.)	(Non-Standard)
Sidewalk, Solid Conc. Pav. Units	SQ. M. (S.Y.)	(Non-Standard)
Crosswalk, Solid Conc. Pav. Units	SQ. M. (S.Y.)	(Non-Standard)

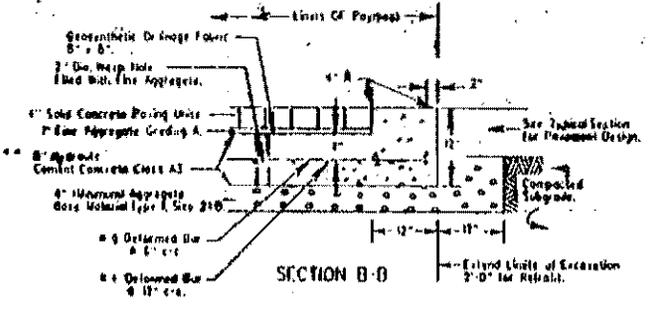
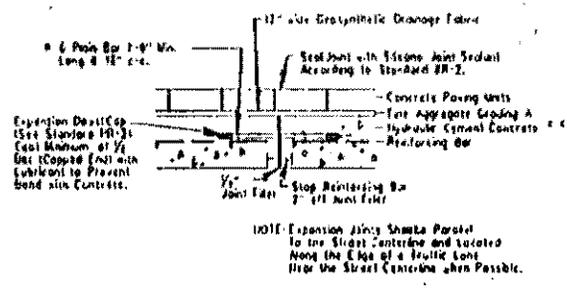
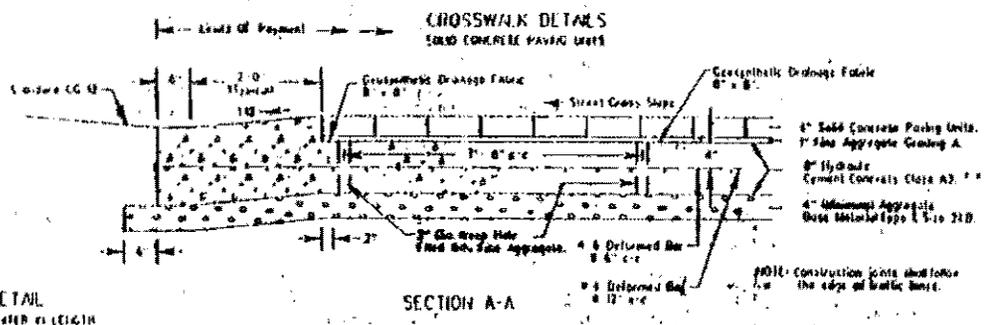
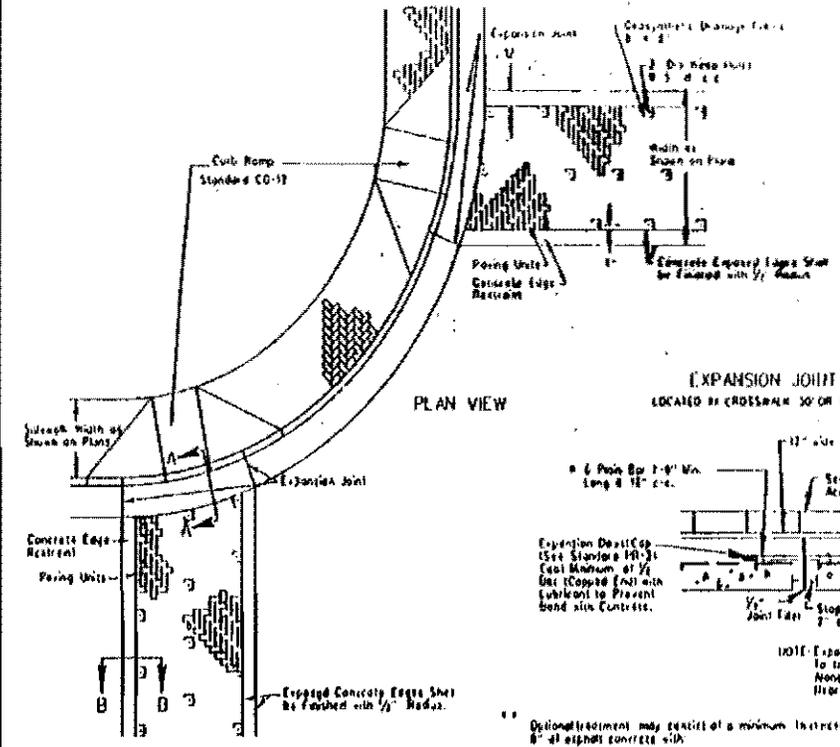
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#### INSERTABLE SHEETS

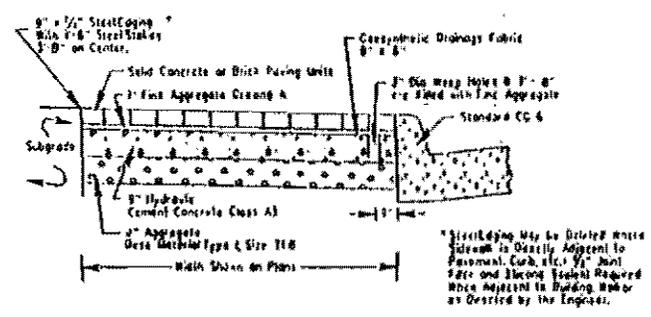
- SOLID PAVING UNITS (SIDEWALK & CROSSWALK) Special Design Drawing Number MA-97 (Metric)
- SOLID PAVING UNITS (SIDEWALK & CROSSWALK) Special Design Drawing Number A-97 (Imperial)

Insertable sheets are available from the Engineering Services Section for use in applicable plan assemblies.

**NOTE: THIS IS A SAMPLE INSERTABLE SHEET FOR A MORE LEGIBLE AND CURRENT VERSION, ACCESS THE GADD INSERTABLE SHEET DIRECTORY**



**SIDEWALK DETAILS**  
 SOLID CONCRETE OR BRICK PAVING UNITS



**SOLID PAVING UNITS (SIDEWALK & CROSSWALK)**

**MATERIAL SPECIFICATIONS**

Solid concrete paving units shall conform to ASTM C-903, Class SP with satisfactory testing for resistance to freezing and thawing. A static coefficient of friction of 0.8 is required.

Solid concrete paving units shall conform to ASTM C-936 with satisfactory testing for resistance to freezing and thawing except lightweight aggregates shall not be used unless specified on the plans. A static coefficient of friction of 0.8 is required.

**NOTES:**

- Color of paving units shall match the color description indicated on the plans. A sample of the paving units to be used shall be submitted and the final color selection shall be approved by the Engineer.
- Acids (except for expansion joints) between paving units shall be used light, sand swept and a maximum of 1/2" wide for concrete and for brick.
- Permeable water joints and seal to fit and grade and shall be installed to properly channel water away and discharge. The cutting of the paved shall be done with no apparent joints or cracks.
- Construction joints in the hydraulic cement concrete shall be formed around obstructions such as manholes and water meters that extend into or through the crosswalk. These joints shall be filled with 1/2" joint filler and sealed with stone joint sealant according to Standard PR-2.
- Pattern for paving units shall be a rectangular pattern with 90° angles on the concrete edge restraint or longitudinal edge unless otherwise noted on the plans.
- Paving units shall be placed and finished according to manufacturer's recommendations.
- Edge water table, see signs or post holes may require additional drainage as shown on plans or directed by the Engineer.

NOTE: Existing pavement to be removed with removed by saw cutting and recycling as necessary for the placement of the base material and, where replaced by new material, graded by the Engineer.

PAY ITEM	PAY UNIT
Sidewalk, Brick Paving Units	\$9 Yds
Sidewalk, Solid Conc. Paving Units	\$9 Yds
Crosswalk, Solid Conc. Paving Units	\$9 Yds

**METHOD OF MEASUREMENT - SIDEWALK**

Sidewalk, solid concrete or brick paving units shall be measured in units of square yard, complete in place.

**BASIS OF PAYMENT - SIDEWALK**

The accepted quantity of sidewalk, solid concrete or brick paving units, shall include all excavation, aggregate base material, fine aggregate, hydraulic cement concrete, reinforcing joint filler, joint sealant, expansion joints, geosynthetic drainage fabric, steel edging, steel stakes, solid concrete or brick paving units, preparation of subgrade, disposal of surplus materials and accessories for construction, complete in place.

**METHOD OF MEASUREMENT - CROSSWALK**

Crosswalk, solid concrete paving units shall be measured in units of square yard, complete in place.

**BASIS OF PAYMENT - CROSSWALK**

The accepted quantity of crosswalk, solid concrete paving units, shall include all excavation, aggregate base material, fine aggregate, hydraulic cement concrete, reinforcing joint filler, joint sealant, expansion joints, geosynthetic drainage fabric, steel edging, steel stakes, solid concrete paving units, preparation of subgrade, disposal of surplus materials and accessories for construction, complete in place.

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment and Development Review Branch, DPZ

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: **RZ 1999-DR-012**  
Robert Frank Pence **SE 99-D-015**

**DATE:** 5 May 1999

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the revised development plan, dated April 8, 1999. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

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

On pages 86 through 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

**"Objective 2: Prevent and reduce pollution of surface and groundwater resources.**

- Policy a. Implement a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements.
- Policy c. In order to reduce stormwater runoff volumes and increase ground water recharge, minimize the amount of impervious surface created

as a result of development consistent with planned land uses.

Development proposals should implement best management practices to reduce runoff pollution. Preferred practices include those which recharge groundwater when such recharge will not degrade groundwater quality, those which preserve as much natural open space as possible and those which contribute to ecological diversity by the creation of wetlands.”

On page 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Water Quality” the Comprehensive Plan states:

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

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

On pages 88 to 89 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Noise”, the Comprehensive Plan states:

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

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

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

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

**ENVIRONMENTAL ANALYSIS:**

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

**Stormwater Best Management Practice**

**Issue:**

This site falls entirely within the County's Chesapeake Bay Watershed generally and more specifically within the County's Dead Run Watershed. The development proposal depicts a potential location for an underground stormwater facility on the eastern portion of the subject property adjacent to Old Dominion Drive. The statement of justification indicates that the applicant will be seeking a waiver or modification for the stormwater best management practice requirements.

**Resolution:**

It is recommended that the applicant specify the means proposed to achieve water quality requirements as stipulated by the Fairfax County Chesapeake Bay Preservation Ordinance in the event that a waiver is not granted by the Department of Public Works and Environmental Services (DPWES).

**Highway Noise**

**Issue:**

Highway noise analyses were performed for Old Dominion Drive. The analysis produced the following noise contour projection for Old Dominion Drive (note DNL dBA is equivalent to dBA  $L_{dn}$ ):

65 dBA $L_{dn}$	245' feet from centerline
70 dBA $L_{dn}$	78' feet from centerline

It appears that the main section of the hotel adjacent to Old Dominion Drive will fall within the 65-70 dBA  $L_{dn}$  impact area.

Barbara A. Byron  
RZ 99-DR-012; SE 99-D-015  
Page 4

**Resolution:**

The proposed hotel is considered a residential facility. Thus, the standards for residential structures have been applied. In order to reduce noise in interior areas to 45 dBA  $L_{dn}$  or less, the hotel should be constructed with building materials that are sufficient to provide this level of acoustical mitigation.

**TRAILS PLAN:**

The Trails Plan Map depicts bicycle trails on both sides of Old Dominion Drive. The Director, Department of Public Works and Environmental Services will determine what trail requirements may apply to the subject property at the time of site plan review.

BGD:MAW

FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard - P. O. Box 1500  
Merrifield, Virginia 22116-0815  
(703) 698-5600

March 22, 1999

MEMORANDUM

TO: Staff Coordinator (Tel. 324-1250)  
Zoning Evaluation Division Suite 800  
12055 Government Center Parkway  
Fairfax, Virginia 22035

FROM: Planning Branch (Tel. 289-6363)  
Planning and Engineering Division

SUBJECT: Water Service Analysis, Rezoning Application SE 99-D-015  
RZ 99-DR-012

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING

MAR 29 1999

ZONING EVALUATION DIVISION

---

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

1. The application property is not located within the franchise area of the Fairfax County Water Authority.
2. Water service is not available from FCWA.
3. Other pertinent information or comments:

City of Falls Church water service area. See enclosed map.

  
\_\_\_\_\_  
Jamie K. Bain, P.E.  
Acting Manager, Planning

Attachment

# SPECIAL EXCEPTION APPLICATION SE 99-D-015

SE 99-D-015  
FILED 03/08/99

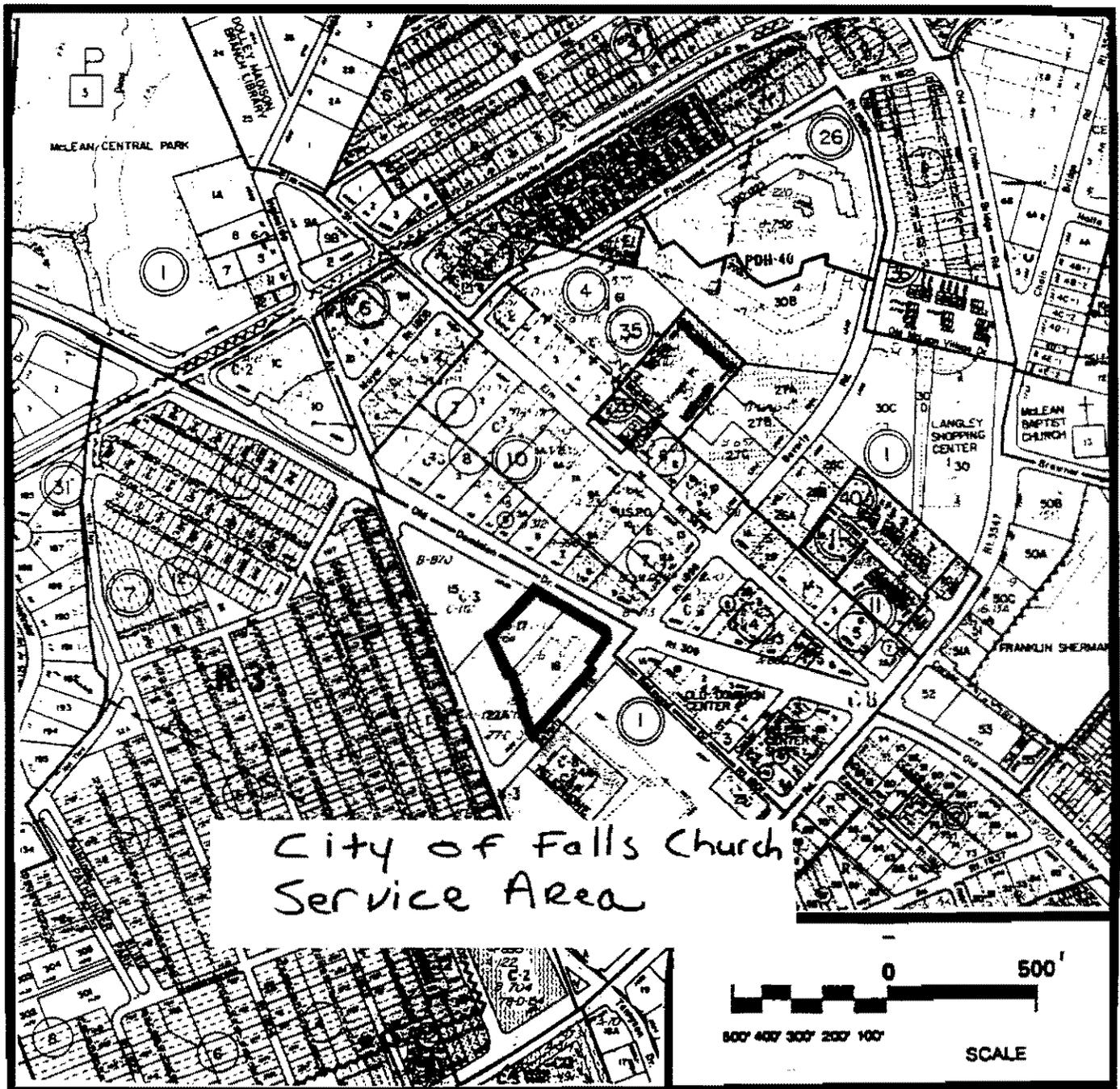
PENCE, ROBERT FRANK  
HOTEL AND MODIFICATIONS, WAIVERS, INCREASES  
AND USES IN COMMERCIAL REVITALIZATION DISTRICT  
ZONING DIST SECTION: 04-0304 09-0622  
ART 9 CATEGORY/USE: 05-14 06-19  
2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
LOCATED: 1400 BEVERLY ROAD, 6841 OLD DOMINION DRIVE

ZONED C-3 PLAN AREA 2  
OVERLAY DISTRICT(S): MC SC CR  
TAX MAP 030-2- /01/ /0017- ,0018-

# REZONING APPLICATION RZ 1999-DR-012

FILED 03/08/99

ROBERT FRANK PENCE  
TO REZONE: 2.40 ACRES OF LAND; DISTRICT - DRANESVILLE  
PROPOSED: COMMERCIAL DEVELOPMENT  
LOCATED: SOUTHWEST QUADRANT OF THE INTERSECTION OF  
OLD DOMINION DR AND BEVERLY RD  
ZONING: C- 6  
TO: C- 3  
OVERLAY DISTRICT(S): CR MC SC  
MAP REF 030-2- /01/ /0017- ,0018-



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator  
Zoning Evaluation Division, OCP

DATE: March 25, 1999

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 1999-DR-012 conc./w. SE 99-D-015  
Tax Map No. 030-2- /01/ /0017, 0018

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING  
MAR 29 1999  
ZONING EVALUATION DIVISION

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

- The application property is located in the Dead Run (E) Watershed. It would be sewerred into the Blue Plains Treatment Plant.
- Based upon current and committed flow, excess capacity is available at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established in accordance with the context of the Blue Plains Agreement of 1984. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8 inch pipe line located in an easement and on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other Pertinent information or comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

March 18, 1999

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

**FROM:** Ralph Dulaney (246-3868)   
Planning Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Special Exception  
Application SE 99-D-015 and Rezoning Application RZ 1999-DR-012

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING

MAR 22 1999

ZONING EVALUATION DIVISION

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #01, McLean.
2. After construction programmed for FY 19\_\_, this property will be serviced by the fire station planned for the \_\_\_\_\_ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this rezoning positively.

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

DATE: 4-21-99

FROM: Ronald N. Kirkpatrick, Director *RNK*  
Utilities Planning and Design Division  
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Robert Frank Pence

Application Number: 1999-DR-012 99-D-015

Type of Application: RZ SE

Information Provided: Application - Yes  
Development Plan - Yes  
Other - Statement of Justification

Date Received in UP&DD: March 17, 1999

Date Due Back to DPZ: March 22, 1999

Site Information: Location - 30-2((1))17 and 18  
Area of Site - 2.4 acres  
Rezone from - C-6, H-C, S-C, CRD to C-3, H-C, S-C, CRD  
Watershed/Segment - Dead Run / Dolly

UP&DD Information:

I. Drainage:

- UP&DD Drainage Complaint files:

Yes  No Any downstream drainage complaints on file pertaining to the outfall for this property?

If yes, describe:

- Master Drainage Plan (proposed projects): **DE211 and DE202 - Channel restoration and stabilization projects are proposed approximately 5000 feet and 10,000 feet downstream of site respectively. DE411 - Road crossing improvement is proposed approximately 7000 feet downstream of site.**
- UP&DD Ongoing County Drainage Projects: **None.**
- Other Drainage Information: **None.**

RE: Rezoning Application Review

II. Trails:

Yes  No Any funded Trail projects affected by this application?

If yes, describe:

Yes  No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program:

Yes  No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes  No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program:

Yes  No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes  No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other UP&DD Projects or Programs:

Yes  No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes  No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes  No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information: **None.**

RE: Rezoning Application Review

Application Name/Number: **Robert Frank Pence / RZ1999-DR-012 and SE99-D-015**

**\*\*\*\*\* UTILITIES PLANNING AND DESIGN DIVISION, DPW, RECOMMENDATIONS\*\*\*\*\***

Note: The UP&DD recommendations are based on the UP&DD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The UP&DD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS: **None.**

TRAILS RECOMMENDATIONS: **None.**

SCHOOL SIDEWALK RECOMMENDATIONS: **None.**

SANITARY SEWER E&I RECOMMENDATIONS:

Yes  NOT REQUIRED

Extend sanitary sewer lines to the development boundaries on the \_\_\_\_\_ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works during the normal Department of Environmental Management plan review and approval process.

Other E&I Recommendations: **None.**

OTHER UP&DD PROJECT/PROGRAM RECOMMENDATIONS: **Applicant should coordinate all work with the HCD Revitalization Program.**

UP&DD Internal sign-off by:

Planning Support Branch (Ahmed Rayyan)	kcm
Utilities Design Branch (Walt Wozniak)	WTW
Transportation Design Branch (Larry Ichter)	LLI
Stormwater Management Branch (Fred Rose)	<i>[Signature]</i>

RNK/rz99dr12.wpd

cc: Gordon Lawrence, Coordinator, Office of Safety, Fx. Co. Public Schools (only if sidewalk recommendation made)  
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch  
Bruce Douglas, Chief, Environment and Development Review Branch

## SPECIAL EXCEPTIONS

- (3) 250 square feet of gross floor area of accessory storage structure uses when the total gross floor area shown on the approved special exception plat is 10,000 square feet or less; and
- (4) the maximum permitted FAR for the zoning district in which located; or
- (5) the maximum density permitted by the approved special exception.

Any request for an addition shall require the provision of written notice by the requester in accordance with the following:

- (a) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
- (b) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

**9-005 Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

**9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

## FAIRFAX COUNTY ZONING ORDINANCE

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-007

### **Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

### **Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or

## SPECIAL EXCEPTIONS

### **PART 6      9-600 CATEGORY 6    MISCELLANEOUS PROVISIONS REQUIRING BOARD OF SUPERVISORS' APPROVAL**

#### **9-601            Category 6 Special Exception Uses**

Category 6 special exceptions consist of those miscellaneous provisions set forth in various Articles of this Ordinance, which require special approval or authorization from the Board.

1. (Deleted by Amendment #95-283, Adopted October 30, 1995, Effective October 31, 1995 at 12:01 AM)
2. Uses in a floodplain.
3. Increase in building heights.
4. Enlargement of certain nonconforming uses.
5. Parking in R districts.
6. Waiver of minimum lot size requirements.
7. Approval of drive-in banks, fast food restaurants, quick-service food stores and service stations and service station/mini-marts in a Highway Corridor Overlay District.
8. Approval of the enlargement, extension, relocation or increase in intensity of existing drive-in banks, fast food restaurants, quick-service food stores and service stations in a Highway Corridor Overlay District.
9. Waiver of open space requirements.
10. Waiver of minimum lot width, minimum yard and privacy yard requirements for single family attached dwelling units.
11. Approval of nonconforming condominium and cooperative conversions.
12. Cluster subdivisions.
13. Driveways for uses in a C or I district.
14. Density credit for major utility easements.
15. Increase in FAR.
16. Minor modifications to a nonconformity.
17. Waiver of certain sign regulations.

## FAIRFAX COUNTY ZONING ORDINANCE

18. Outdoor storage in association with warehousing establishments in the Sully Historic Overlay District.

19. Modifications/waivers/increases and uses in a Commercial Revitalization District.

### 9-602 **Additional Submission Requirements**

In addition to the submission requirements set forth in Sect. 011 above, all applications for a Category 6 special exception shall be accompanied by such submission items as may be required by the provisions of this Ordinance or as may be required by the Board for a particular special exception.

9-603 (Deleted by Amendment #95-283, Adopted October 30, 1995, Effective October 31, 1995 at 12:01 AM)

9-604 (Deleted by Amendment #82-64, adopted August 2, 1982)

9-605 (Deleted by Amendment #82-64, adopted August 2, 1982)

### 9-606 **Provisions for Uses in a Floodplain**

The Board may approve a special exception for the establishment of a use in a floodplain in accordance with the provisions of Part 9 of Article 2.

### 9-607 **Provisions for Approving an Increase in Building Heights**

As set forth in the C-3, C-4, C-6, C-7, C-8, C-9, I-1, I-2, I-3, I-4, I-5 and I-6 Districts, and as applicable to all Group 3, Institutional Uses and Category 3, Quasi-Public Uses, the Board may approve a special exception for an increase in height above the maximum building height regulations specified for the zoning district or a given use, but only in accordance with the following provisions:

1. An increase in height may be approved only where such will be in harmony with the policies embodied in the adopted comprehensive plan.
2. An increase in height may be approved only in those locations where the resultant height will not be detrimental to the character and development of adjacent lands.
3. An increase in height may be approved in only those instances where the remaining regulations for the zoning district can be satisfied.

### 9-608 **Provisions for Enlargement of Certain Nonconforming Uses**

The Board may approve a special exception authorizing the enlargement of certain nonconforming uses, but only in accordance with the provisions of Sect. 15-102.

## GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to

provide light and air; open space may be 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 Environmental Management.

**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 DEM 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 DEM for review and approved pursuant to Chapter 101 of the County Code.

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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