



County of Fairfax, Virginia

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

April 10, 2013

Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich &
Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

RE: Proffered Condition Amendment Application PCA 92-P-001-10
(Concurrent with Rezoning Applications RZ 2011-PR-010, RZ 2011-PR-011, Proffered
Condition Amendment Application PCA 92-P-001-09)

Dear Ms. Strobel:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 9, 2013, approving Proffered Condition Amendment Application PCA 92-P-001-10 in the name of Cityline Partners LLC. The Board's action amends the proffers for Rezoning Application RZ 92-P-001, previously approved for office development to permit public use and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of approximately 0.65. The subject property is located at 1766 Old Meadow Lane, on approximately 4.22 acres of land zoned C-3 and HC [Tax Map 29-4 ((6)) C and 96A], in the Providence District and is subject to the proffers dated March 25, 2013.

Sincerely,

Catherine A. Chianese
Clerk to the Board of Supervisors

Office of the Clerk to the Board of Supervisors

12000 Government Center Parkway, Suite 533

Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

Email: clerktothebos@fairfaxcounty.gov

<http://www.fairfaxcounty.gov/bosclerk>

Cc: Chairman Sharon Bulova
Supervisor Lynda Smyth, Providence District
Tim Shirocky, Acting Director, Real Estate Division. Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Planning Commission
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 9th day of April, 2013, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-P-001-10
(Concurrent with Rezoning Applications RZ 2011-PR-010, RZ 2011-PR-011, Proffered
Condition Amendment Application PCA 92-P-001-09)**

WHEREAS, Cityline Partners LLC, filed in the proper form an application to amend the proffers for RZ 92-P-001 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Providence District, and more particularly described as follows (see attached legal description):

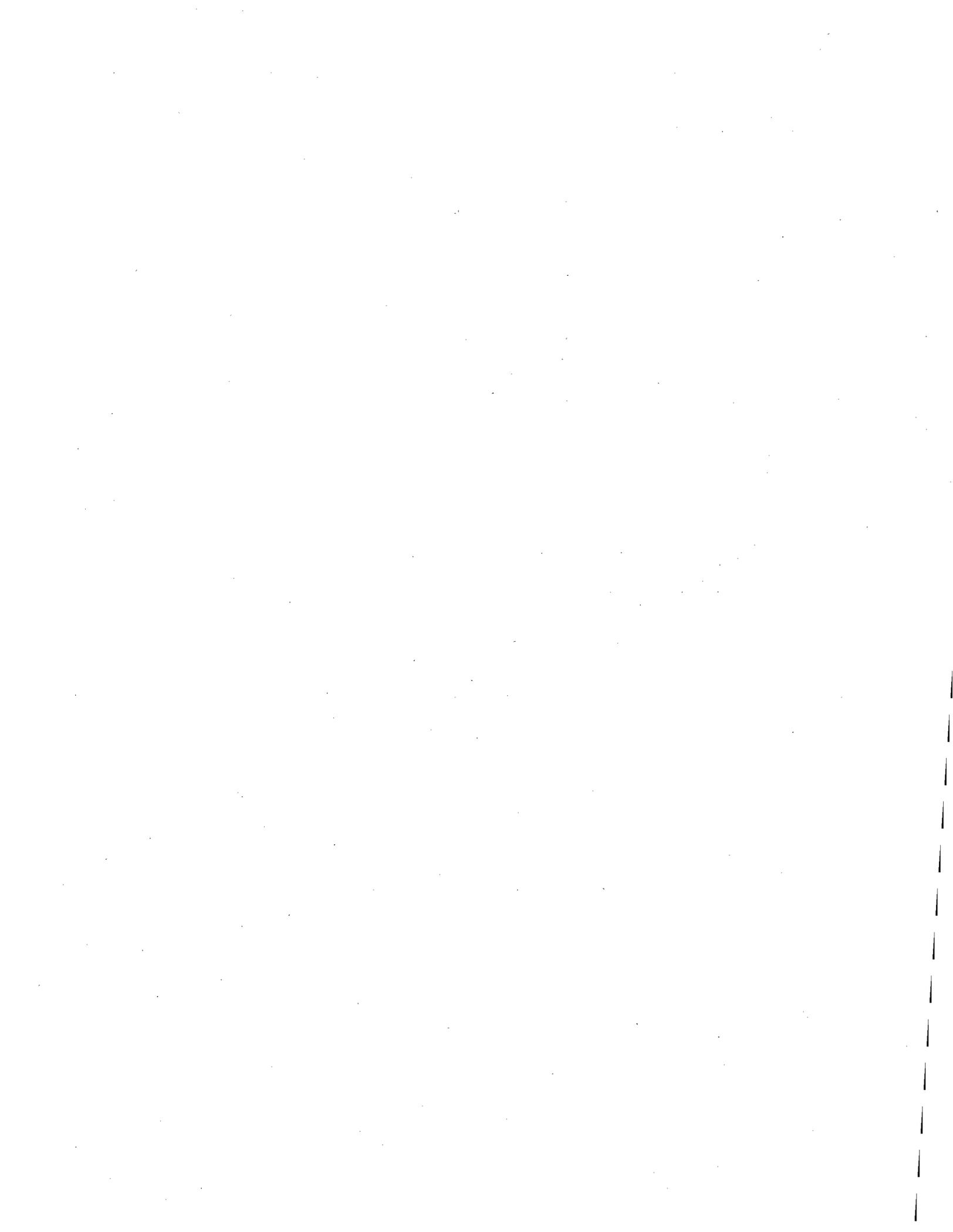
Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 9th day of April, 2013.



Catherine A. Chianese
Clerk to the Board of Supervisors



**PROFFERS
CITYLINE PARTNERS LLC
PCA 92-P-001-10**

March 25, 2013

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 18-204 of the Zoning Ordinance of Fairfax County 1978, as amended (hereinafter referred to as the "Zoning Ordinance"), Cityline Partners LLC, as agent for and on behalf of the owners itself, and its successors and/or assigns (hereinafter collectively referred to as the "Applicant"), in PCA 92-P-001-10 filed on property identified as Fairfax County tax map 29-4 ((6)) 96A and C (the "Application Property") hereby proffers the following conditions if and only if, PCA 92-P-001-10 is granted. In the event the PCA is denied, these proffers shall immediately become null and void and of no further full force and effect.

1. Previous Proffers. All previous proffers associated with PCA 92-P-001-2, PCA 92-P-001-3, PCA 92-P-001-4, and PCA 92-P-001-6 as they apply to the Application Property shall continue and remain in full force and effect as modified by these proffers.
2. Site Development. The Application Property shall remain zoned to the C-3 District and shall be developed as generally shown on Sheet L-4 of the Scotts Run Station South Conceptual Development Plan (CDP), prepared by VIKA, Inc. and SmithGroup, Inc. dated May 10, 2011 and revised through February 4, 2013 submitted in conjunction with RZ 2011-PR-010 and RZ 2011-PR-011.
3. Minor Modifications. Minor modifications to the site development may be permitted as a result of final design and as necessitated by sound engineering practices pursuant to Section 18-204 of the Zoning Ordinance without the necessity for an amendment to these proffers.
4. Use. The use of the Application Property shall be limited to public uses for the benefit of and/or operated by Fairfax County.
5. Construction of Public Facilities and Conveyance to County.
 - A. The Applicant shall coordinate with the applicants in RZ 2011-PR-010 and RZ 2011-PR-011 (the "Scotts Run Station Application") to construct and convey the Fire Station and Athletic Field as defined in the proffers for the Scotts Run Station Application.
 - B. Upon conveyance of all or any portion of the Application Property to the County, the County shall have no obligations as "Applicant" under these proffers by virtue of its ownership of such portion of the Application Property.
6. Access. The Applicant shall grant access to the Application Property to perform such actions thereon as necessary to fulfill the proffers associated with the Scotts Run Station Application.

PCA 92-P-001-10

Page 2

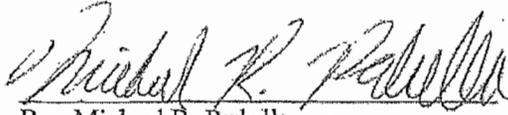
7. Traffic Signals. Traffic signals at Colshire Meadow Drive and Old Meadow Road and Colshire Meadow Drive and Colshire Drive shall be installed as further described in the proffers associated with the Scotts Run Station Application.

8. Reservation of Density Credit. That portion of the Application Property (approximately 1.2 acres) that supports an athletic field as shown on Sheet L-4 of the CDP associated with the Scotts Run Station Application shall be subject to a reservation of density credit under Section 2-308 of the Zoning Ordinance upon dedication to Fairfax County.

{A0553563.DOC / 1 Draft proffers PCA 92-P-001-10 (Taft) - 03.25.13 (cln) 007079 000003}

APPLICANT/AGENT

CITYLINE PARTNERS LLC

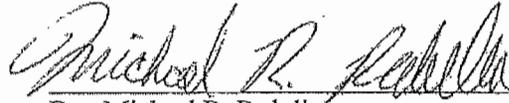
A handwritten signature in cursive script, appearing to read "Michael R. Pedulla", written over a horizontal line.

By: Michael R. Pedulla
Its: Co-President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
29-4 ((6)) 96A, C

TAFT 1766 OLD MEADOW LANE LLC

A handwritten signature in cursive script, appearing to read "Michael R. Pedulla", is written over a horizontal line.

By: Michael R. Pedulla
Its: Executive Vice President

[SIGNATURES END]



TAFT

December 10, 2012

DESCRIPTION OF

**ALL OF
LOT 96A
WESTGATE INDUSTRIAL PARK
DEED BOOK 16720, PAGE 2006
AND
ALL OF
OUTLOT C
VACATION OF OLD MEADOW LANE
DEED BOOK 18660, PAGE 205**

**PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA**

RECEIVED
Department of Planning & Zoning

DEC 10 2012

Zoning Evaluation Division

Being all of Lot 96A – Westgate Industrial Park as shown on plat recorded in Deed Book 16720 at Page 2006 and all of Outlot C – Vacation of Old Meadow Lane as recorded in Deed Book 18660 at Page 205 all among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning for the same at a point marking the southwesterly corner of the aforesaid Lot 96A – Westgate Industrial Park (D.B. 16720, Pg. 2006), said point also lying on the easterly right of way line of the Capitol Beltway – Interstate 495 (right of way width varies), said point also being a common corner to Phase 1 – Regency Club of McLean Condominium (D.B. 4586, Pg. 1); thence leaving said common corner and running with a portion of the right of way line of said Capitol Beltway – Interstate 495 the following three (3) courses and distances:

- 1.) North 19°52'20" East, 392.53 feet to a point; thence
- 2.) North 60°48'53" East, 141.71 feet to a point of curvature; thence
- 3.) 72.60 feet along the arc of the non-tangent curve to the left having a radius of 1,015.46 feet and a chord bearing and distance of North 74°26'37" East, 72.59 feet to a point marking the most northerly corner of the aforesaid Lot 96A – Westgate Industrial Park (D.B. 16720, Pg. 2006), said point also being a common corner to Lot 97C – Westgate Industrial Park (D.B. 16720, Pg. 2006); thence leaving the aforesaid easterly right of way line of the Capitol Beltway – Interstate 495 and running with said common lines of Lot 97C – Westgate Industrial Park the following five (5) courses and distances:
 - 4.) South 09°48'22" West, 104.59 feet to a point; thence
 - 5.) South 79°39'01" East, 14.00 feet to a point; thence
 - 6.) South 33°44'51" East, 47.42 feet to a point; thence
 - 7.) South 10°22'08" West, 19.82 feet to a point; thence
 - 8.) South 79°37'52" East, 43.29 feet to a point marking the northwesterly corner of Outlot A (Being a portion of vacated Old Meadow Lane) recorded in Deed Book 18660 at Page 205 among the aforesaid Land Records; thence leaving the aforesaid common line of Lot 97C – Westgate Industrial Park (D.B. 16720, Pg. 2006) and running with the Vacated line of Old Meadow Lane (D.B. 18660, Pg. 205) the following two (2) courses and distances:
 - 9.) South 10°28'28" West, 25.00 feet to a point marking the common corner of the aforesaid Outlot A and Outlot C; thence running
 - 10.) South 79°31'32" East, 113.50 feet to a point marking the northwesterly corner of Outlot B (Being a portion of vacated Old Meadow Lane) recorded in Deed Book 18660 at Page 205 among the aforesaid Land Records; thence leaving the aforesaid Outlot A and running with said Outlot B

VIKA Virginia, LLC

8180 Greensboro Drive, Suite 200 ✪ McLean, Virginia 22102 ✪ 703.442.7800 Fax 703.761.2787

McLean, VA ✪ Germanstown, MD ✪ Washington, DC

www.vika.com

- 11.) South $10^{\circ}28'28''$ West, 25.00 feet to a point marking the northwesterly corner of Lot 95B – Westgate Industrial Park (D.B. 16720, Pg. 2006); thence leaving the aforesaid vacated line of Old Meadow Lane (D.B. 18660, Pg. 205) and running with the common line of Lot 95B – Westgate Industrial Park
- 12.) South $10^{\circ}22'08''$ West, 393.79 feet to a point lying in the aforesaid northerly line of Phase 1 – Regency Club of McLean Condominium (D.B. 4586, Pg. 1), said point also marking the southeasterly corner of the aforesaid Lot 96A – Westgate Industrial Park (D.B. 16720, Pg. 2006), said point also marking a common corner to Lot 95B – Westgate Industrial Park (D.B. 16720, Pg. 2006); thence leaving said Lot 95B and running with the common line of said Phase 1 – Regency Club of McLean Condominium
- 13.) North $67^{\circ}45'50''$ West, 453.80 feet to the point of beginning containing 183,691 square feet or 4.21696 acres of land.

P:\Surveys\LDD3-PROJECTS\6927-SV1\Descriptions\TAFT 12-3-2012\6927-TAFT.doc





COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: PCA 92-P-001-10
 (Assigned by staff)
 Concurrent with RZ 2011-PR-010,
 RZ 2011-PR-011 and PCA 92-P-001-9

RECEIVED
Department of Planning & Zoning
FEB 04 2013
Zoning Evaluation Division

APPLICATION FOR A REZONING
 (PLEASE TYPE or PRINT IN BLACK INK)

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), Cityline Partners LLC, the applicant (s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the N/A District to the N/A District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made part of this application.

APPLICATION TYPE(S): PCA CDP FDP CDPA FDPA

LEGAL DESCRIPTION:

Metes and Bounds-See Attached				
Lot(s)	Block(s)	Subdivision	Deed Book	Page No.

TAX MAP DESCRIPTION:

29-4	((6))		96A, C	Approximately 4.22 acres
Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Acreage

POSTAL ADDRESS OF PROPERTY:

1766 Old Meadow Lane, McLean, Virginia 222102

ADVERTISING DISCRIPTION: (Example - North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)

East of Interstate 495 and south of the ramp from I-495 to Dolley Madison Blvd. (Route 123) at the terminus of Old Meadow Lane

PRESENT USE: Office/Vacant **PROPOSED USE:** Public Use
MAGISTERIAL DISTRICT: Providence **OVERLAY DISTRICT (S):** H-C

The name(s) and address(s) of owner(s) of record shall provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representative on official business to enter on the subject property as necessary to process the application.

Thomas D. Fleury, agent
 Type or Print Name
 1651 Old Meadow Rd., Ste. 650, McLean, VA 22102
 Address


 Signature of Applicant or Agent
 (Work) 703-556-3772 (Mobile)
 Telephone Number

Please provide name and telephone number of contact if different from above:
 Lynne J. Strobel, attorney/agent, (703) 528-4700

DO NOT WRITE BELOW THIS SPACE

Date application accepted: February 6, 2013 Virginia Ruffner Fee Paid \$ 18,190.00

PCA 2012-0280 MAC 2/6/13

PCA 92-P -001-10

Zoning Application Closeout Summary Report

Printed: 4/22/2013

General Information

APPLICANT: CITYLINE PARTNERS LLC
 DECISION DATE: 04/09/2013
 CRD: NO
 HEARING BODY: BOS
 ACTION: APPROVE
 STAFF COORDINATOR: SUZANNE LIN
 SUPERVISOR DISTRICT: PROVIDENCE

DECISION SUMMARY:

ON APRIL 9, 2013, THE BOARD UNANIMOUSLY APPROVED PCA 92-P-001-10 ON A MOTION BY SUPERVISOR SMYTH SUBJECT TO PROFFERS DATED MARCH 14, 2013.

APPLICATION DESCRIPTION:

AMEND RZ 92-P-001 PREVIOUSLY APPROVED FOR OFFICE TO PERMIT PUBLIC USE

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
				C-3	4.22 ACRES

Tax Map Numbers

0294 ((06)) () C 0294 ((06)) () 0096 A

Approved Land Uses

Zoning District: C-3

<u>LAND USE</u>	<u>DU'S</u>	<u>RES LAND AREA</u>	<u>ADU'S</u>	<u>WDU'S</u>	<u>GFA</u>	<u>FAR</u>	<u>NRES LAND AREA</u>
PUBLIC/USE						0.65	4.22 ACRES

TOTALS

Approved ProffersPROFFER STATEMENT DATE: 03-25-2013

<u>PROFFER</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIR. DTE</u>
OTHER - ENVIRONMENT	01-01-0001	0	N/A	\$0	01-01-0001
FIRE STATION	01-01-0001	0	N/A	\$0	01-01-0001
OTHER - LAND USE	01-01-0001	0	N/A	\$0	01-01-0001
DEDICATION - FCPA	01-01-0001	0	N/A	\$0	01-01-0001
TRAFFIC SIGNAL / TIMING	01-01-0001	0	N/A	\$0	01-01-0001
PREVIOUS PROFFERS REMAIN IN EFFECT	01-01-0001	0	N/A	\$0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	\$0	01-01-0001
MINOR MODIFICATION	01-01-0001	0	N/A	\$0	01-01-0001

4/22/2013