



**APPLICATION ACCEPTED:** September 1, 2015  
**PLANNING COMMISSION:** January 14, 2016  
**BOARD OF SUPERVISORS:** TBD

## County of Fairfax, Virginia

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**December 30, 2015**

### **STAFF REPORT**

**APPLICATIONS PCA 78-P-130-02  
CDPA 78-P-130-03  
FDPA 78-P-130-09**



### **PROVIDENCE DISTRICT**

**APPLICANT:** COPT Fairview, LLC

**EXISTING/PROPOSED ZONING:** PDC (Planned Development Commercial)

**PARCEL:** 49-4 ((1)) 72

**ACREAGE:** 6.09 acres

**PLAN MAP:** Mixed Use

**FAR:** 0.291 (overall – original rezoning area)

**PROPOSAL:** To amend the proffers, and the conceptual and final development plans to permit the existing marketing center/office building to remain indefinitely

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of PCA 78-P-130-02 and the associated conceptual development plan amendment, CDPA 78-P-130-03, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of FDPA 78-P-130-09 subject to the development conditions contained in Appendix 2 and the Board's approval of the associated PCA.

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

Carmen Bishop, AICP

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Conceptual/Final Development Plan Amendment**

**CDPA 78-P-130-03/FDPA 78-P-130-09**

Applicant: COPT FAIRVIEW LLC  
 Accepted: 09/01/2015  
 Proposed: AMEND CONCEPTUAL/FINAL DEVELOPMENT PLAN ASSOCIATED WITH RZ 78-P-130 FOR OFFICE DEVELOPMENT

Area: 6.09 AC OF LAND; DISTRICT - PROVIDENCE  
 Zoning Dist Sect:  
 Located: WEST SIDE OF FAIRVIEW PARK DRIVE, 1800 FEET SOUTH OF ARLINGTON BOULEVARD AND EAST OF THE CAPITAL BELTWAY

Zoning: PDC  
 Overlay Dist:  
 Map Ref Num: 049-4- /01/ /0072

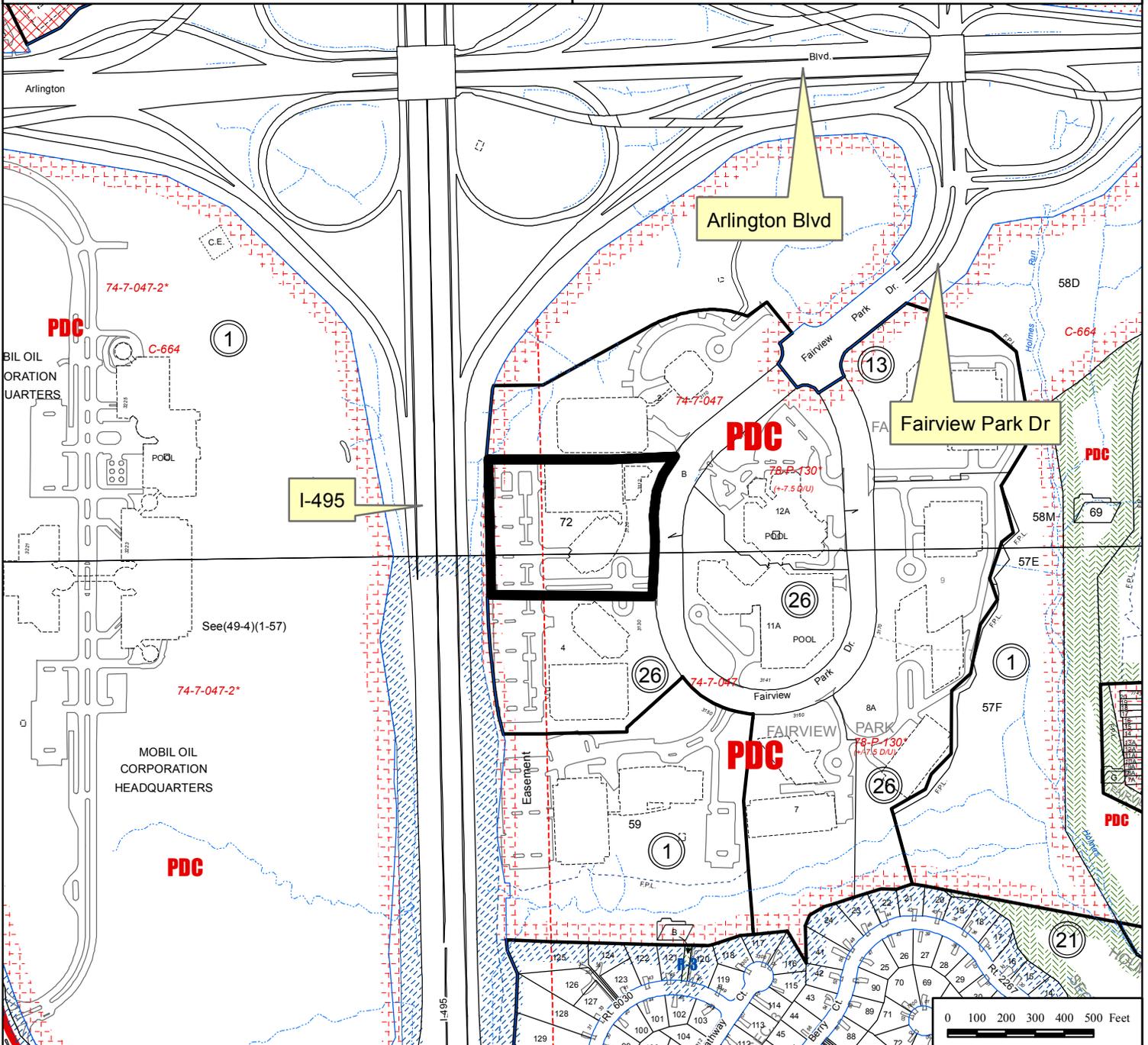
**Proffered Condition Amendment**

**PCA 78-P-130-02**

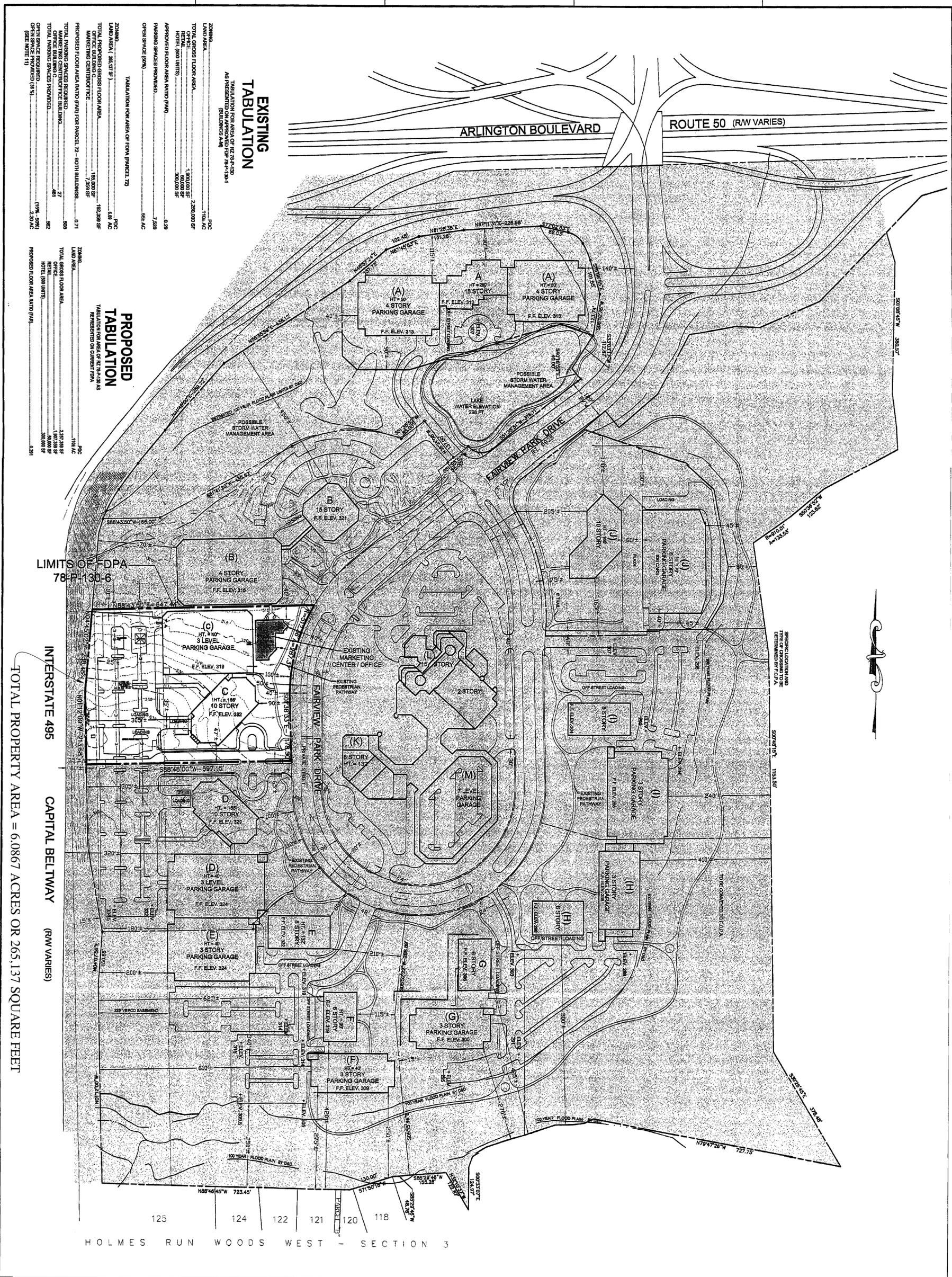
Applicant: COPT FAIRVIEW LLC  
 Accepted: 09/01/2015  
 Proposed: AMEND PROFFERS ASSOCIATED WITH RZ 78-P-130 FOR OFFICE DEVELOPMENT

Area: 6.09 AC OF LAND; DISTRICT - PROVIDENCE  
 Zoning Dist Sect:  
 Located: WEST SIDE OF FAIRVIEW PARK DRIVE, 1800 FEET SOUTH OF ARLINGTON BOULEVARD AND EAST OF THE CAPITAL BELTWAY

Zoning: PDC  
 Overlay Dist:  
 Map Ref Num: 049-4- /01/ /0072







**EXISTING TABULATION**  
 TABULATION FOR AREA OF 78-P-130-6  
 AS PRESENTED ON APPROVED PER 78-P-130-6 (ORDINANCE 14)

ZONING	PDC
LAND AREA	118.14 AC
TOTAL GROSS FLOOR AREA	2,280,000 SF
OFFICE	1,500,000 SF
HOTEL (900 UNITS)	40,000 SF
APPROVED FLOOR AREA RATIO (FAR)	0.29
PARKING SPACES PROVIDED	7,500
OPEN SPACE (8%)	9,451 SF
TABULATION FOR AREA OF 78-P-130-6	684 AC

**PROPOSED TABULATION**  
 TABULATION FOR AREA OF 78-P-130-6  
 MEMORANDUM ON CURRENT PLAN

ZONING	PDC
LAND AREA	118.14 AC
TOTAL GROSS FLOOR AREA	3,207,200 SF
OFFICE	1,900,000 SF
HOTEL (900 UNITS)	40,000 SF
APPROVED FLOOR AREA RATIO (FAR)	0.29
PARKING SPACES PROVIDED	20,000 SF
OPEN SPACE (8%)	25,818 SF
TABULATION FOR AREA OF 78-P-130-6	621 AC

SHEET TAKEN FROM FDPA-78-P-130-8, FOR INFORMATION PURPOSES ONLY Y1

TOTAL PROPERTY AREA = 6.0867 ACRES OR 265,137 SQUARE FEET

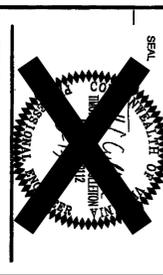
HOLMES RUN WOODS WEST - SECTION 3

SHEET NO. **2**  
 M-10567

PROJECT NO. FDPA-78-P-130-8  
 TITLE: Final Development Plan Amendment

NO.	DATE	BY	DESCRIPTION
1	03/13/08	JMC	

REVISIONS



**FAIRVIEW PARK**  
 Final Development Plan Amendment  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

**Dewberry**  
 Dewberry & Davis, LLC  
 FAIRFAX, VA 22031  
 PHONE: 703.441.0000  
 FAX: 703.441.0001  
 www.dewberry.com

FINAL DEVELOPMENT PLAN OVERALL MAP  
**FAIRVIEW PARK**  
 FINAL DEVELOPMENT PLAN AMENDMENT  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

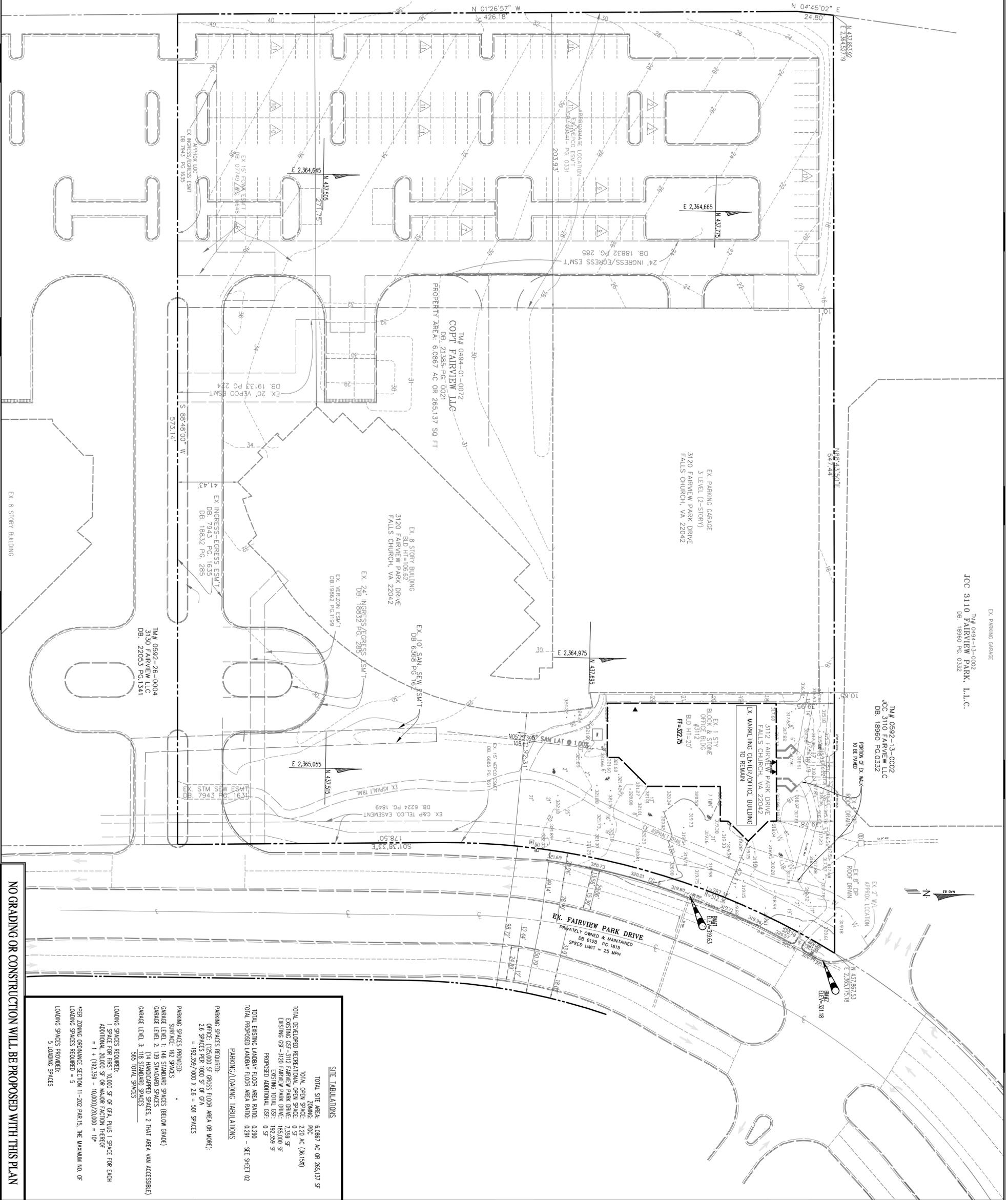


Urban, Ltd.  
 4000 D TECHNOLOGY CT.  
 CHANTILLY, VA. 20151  
 TEL: 703.642.2306  
 FAX: 703.378.7888  
 www.urban-lltd.com

PLAN DATE	06-11-2015	
08-24-2015		
No.	DATE	DESCRIPTION
REVISIONS		

FILE NO. FDPA/FDPA

EX. CAPITAL BELTWAY - I 495  
R/W VARIES  
SPEED LIMIT = 55 MPH



NO GRADING OR CONSTRUCTION WILL BE PROPOSED WITH THIS PLAN

**SITE TABULATIONS**

TOTAL SITE AREA:	6.0867 AC OR 265,137 SF
ZONING:	PDC
TOTAL DEVELOPED RECREATIONAL OPEN SPACE:	2.20 AC (36.15%)
EXISTING GS-312 FAIRVIEW PARK DRIVE:	7,359 SF
EXISTING GS-312 FAIRVIEW PARK DRIVE:	165,000 SF
PROPOSED ADDITIONAL GS:	0 SF
TOTAL EXISTING LANDSCAPE AREA RATIO:	0.291 - SEE SHEET 02
TOTAL PROPOSED LANDSCAPE AREA RATIO:	0.291 - SEE SHEET 02
<b>PARKING/LOADING TABULATIONS</b>	
PARKING SPACES REQUIRED:	OFFICE: (25,000 SF GROSS FLOOR AREA OR MORE): 2.6 SPACES PER 1000 SF OF GFA = 192,359/1000 X 2.6 = 501 SPACES
PARKING SPACES PROVIDED:	SURFACE: 162 SPACES GARAGE LEVEL 1: 146 STANDARD SPACES (BELOW GRADE) GARAGE LEVEL 2: 139 STANDARD SPACES GARAGE LEVEL 3: 118 STANDARD SPACES 565 TOTAL SPACES
LOADING SPACES REQUIRED:	0.000 SF OF GFA, PLUS 1 SPACE FOR EACH ADDITIONAL 20,000 SF OF WARE FACILITY THEREOF = 1 + (192,359 - 10,000)/20,000 = 10
LOADING SPACES PROVIDED:	5 LOADING SPACES

EXISTING CONDITIONS  
**FAIRVIEW PARK**  
FINAL DEVELOPMENT PLAN AMENDMENT  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA



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4000 D TECHNOLOGY CT.  
CHANTILLY, VA. 20151  
TEL. 703.642.2306  
FAX 703.378.7888  
www.urban-llc.com

PLAN DATE	06-11-2015
	08-24-2015

No.	DATE	DESCRIPTION
REVISIONS		

JCC 3110 FAIRVIEW PARK, L.L.C.  
TM# 0494-13-0002  
DB: 18960 PG. 0332

JCC 3110 FAIRVIEW LLC  
TM# 0592-13-0002  
DB: 18960 PG.0332

JCC 3130 FAIRVIEW LLC  
TM# 0592-26-0004  
DB: 22055 PG.1341

JCC 3120 FAIRVIEW LLC  
TM# 0494-01-0072  
DB: 21385 PG. 0021

JCC 3112 FAIRVIEW LLC  
TM# 0494-13-0002  
DB: 18960 PG.0332

JCC 3112 FAIRVIEW LLC  
TM# 0494-13-0002  
DB: 18960 PG.0332

JCC 3118 FAIRVIEW LLC  
TM# 0494-13-0002  
DB: 18960 PG.0332

JCC 3118 FAIRVIEW LLC  
TM# 0494-13-0002  
DB: 18960 PG.0332

JCC 3118 FAIRVIEW LLC  
TM# 0494-13-0002  
DB: 18960 PG.0332



## DESCRIPTION OF THE APPLICATION

The applicant, COPT Fairview, LLC, requests to modify the proffers and the conceptual and final development plans approved for approximately 6.09 acres to permit the existing 7,359-square foot marketing center/office building to remain indefinitely. The building was previously approved to remain only through build-out of Fairview Park. The subject property represents a portion of the overall 178.6-acre property rezoned in 1981 to the PDC District for mixed use development, including office, retail, residential and recreational uses. The overall FAR would increase from 0.29 to 0.291. No new construction and no other modifications are proposed.

A reduced copy of the Conceptual/Final Development Plan Amendment (CDPA/FDPA) is included at the front of this report. The applicant's draft proffers and staff's proposed FDPA conditions are included in Appendices 1 and 2, respectively. The applicant's statement of justification and affidavit are included in Appendices 3 and 4, respectively.

## LOCATION AND CHARACTER

The application property consists of one parcel located on the west side of Fairview Park Drive and east of I-495 within the Fairview Park office and hotel development. It is developed with an 8-story office building with surface and structured parking and the 1-story marketing center/office building shown in Figure 1. Landscaping and an asphalt trail extend along the front of the property. Access from Fairview Park Drive is provided with a shared driveway located at the southern end of the parcel. The marketing center/office building is constructed of masonry block and glass and won an Exception Design Award from the County in 1989.



*Figure 1: Staff photograph, 2015*

The surrounding area is shown on the following map.



Figure 2: Source Fairfax County GIS, 2013 Imagery with added annotations

## BACKGROUND

On May 18, 1981, the Board of Supervisors approved RZ 78-P-130 for the rezoning of 178.6 acres to the PDC District, subject to proffers, and the associated conceptual development plan (CDP). Since that time, subsequent applications have been approved affecting the subject property and/or other parcels within Fairview Park. The subject property is presently governed by the zoning approvals, RZ 78-P-130 and FDPA 78-P-130-08. The proffers and CDP for RZ 78-P-130 are provided in Appendix 5, and the FDPA and development conditions for FDPA 78-P-130-08 are included in Appendix 6.

The marketing center/office building was constructed in 1986, after having received a temporary special permit (TSP 251-85). On October 7, 1998, the Planning Commission approved FDPA 78-P-130-05, permitting the marketing center/office building as an interim use and its expansion from 6,264 square feet to 15,378 square feet. The expansion was to be within the footprint of the adjacent parking garage, and the entire building was to be abandoned upon construction of office Building C and the associated parking structure on the property.

On April 19, 2006, the Planning Commission approved FDPA 78-P-130-08 which deleted the previously approved expansion of the marketing center and permitted the building to remain throughout build-out of Fairview Park (i.e., when Building A has been constructed). A minor site plan was approved in 2001 which permitted the expansion of the marketing center/office building by 1,095 square feet to a total of 7,359 square feet. The 8-story office building and parking garage (Building C) were constructed in 2008.

The proffers specify a maximum of 1.9 million square feet of office space. This was shown on the final development plan (FDP 78-P-130) to be distributed among 11 office buildings, A – K, ranging in size from 100,000 to 300,000 square feet. The total did not originally include the marketing center/office building since it was contemplated to be temporary. The square footage identified for specific buildings was revised through the course of subsequent approvals. Specifically, Buildings H and I were initially shown to have a total of 250,000 square feet, but were combined and shown to have a total of 247,701 square feet in DPA 78-P-130-2 approved on November 24, 1986. Building J was initially shown to have 225,000 square feet, but was presented as having 229,102 square feet in FDPA 78-P-130-3/4 approved on March 22, 1990. Combined, these changes would result in an overall office square footage of 1,901,803, which is in excess of the maximum approved, and could affect the allowable square footage for Building A which has not yet been constructed. However, it is possible that a review of as-built site plans would reveal that not all of the buildings have been constructed to the maximum allowed by the final development plans. The subject application to add the square footage of the marketing center/office building to the overall maximum allowable office space would not impact the previous approvals.

## **COMPREHENSIVE PLAN PROVISIONS**

The Comprehensive Plan map designates this area for mixed use. On page 93 of the Fairfax County Comprehensive Plan, 2013 Edition, Area I, Merrifield Suburban Center, Land Unit J, as amended through October 20, 2015, it states:

*Existing development consists of a mix of office, hotel and support retail uses on the western portion of the Land Unit and residential and institutional uses located on the eastern portion of the Land Unit. In addition, the Holmes Run Environmental Quality Corridor, which runs through the middle of this Land Unit, is preserved as private and public open space.*

*This Land Unit is envisioned to remain as developed, with the remaining undeveloped parcels to develop with office uses.*

### DESCRIPTION OF THE CONCEPTUAL/FINAL DEVELOPMENT PLAN AMENDMENT (CDPA/FDPA)

The CDPA/FDPA is titled "Fairview Park," prepared by Urban Ltd. and consists of four sheets dated May 2015, as revised through November 10, 2015.

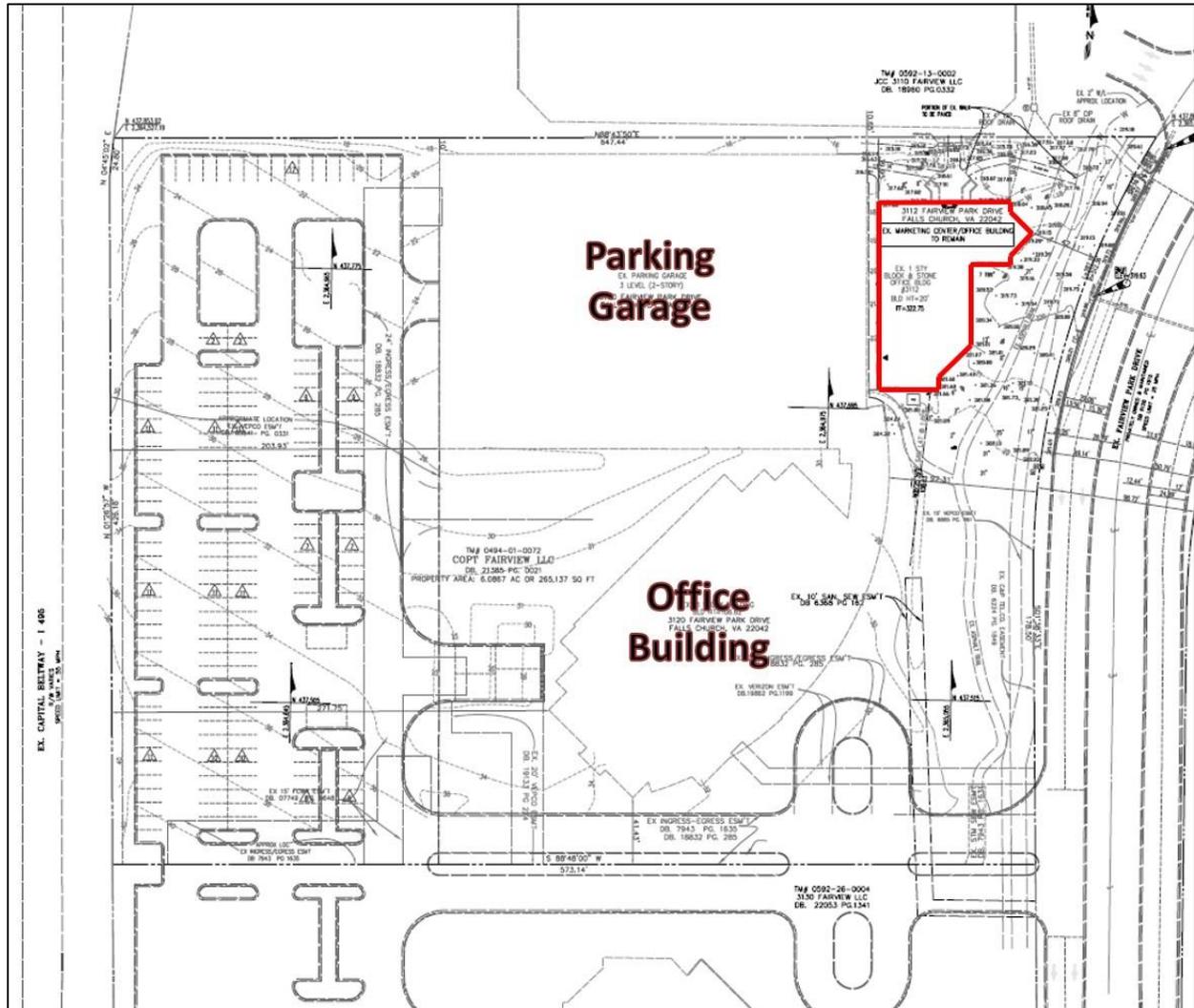


Figure 3: Source Sheet 3 of CDPA/FDPA with added annotations

The plan depicts the location of the existing structures and parking on the property. Sheet 2 presents the existing and proposed overall tabulations and identifies the location of the subject property within the 110-acre portion that was subject to the final development plan. The proposed tabulations specify a maximum gross floor area of 1,907,359 square feet of office and 2,257,359 square feet of commercial overall.

The 7,359-square foot, 1-story marketing center/office building is located in front of the 2-story parking structure on the subject property. Vehicular access to the site is provided from Fairview Park Drive via the shared driveway at the southern end of the property to the surface lot at the rear and the parking structure to the north.

Pedestrian access to the marketing center/office building is offered through this parking structure or the parking structure to the north, or from walkways in front of and behind the building. Building entrances are located on the north and west sides. Notes are included on Sheet 3 that identify that the existing marketing center/office building is to remain, and that a portion of the existing walkway to the front of the building will be paved. Sheet 3 also identifies that a total of 565 parking spaces are provided on the subject property where 501 spaces are required.



Figure 4: Source Fairfax County GIS, 2015 Imagery with added annotations

Sheet 4 of the CDPA/FDPA demonstrates that 36 percent of the site remains in open space, which conforms to the proffered commitment for a minimum of 35 percent open space. Since no grading or construction is planned, no modifications to stormwater management were proposed.

## **ZONING ORDINANCE PROVISIONS** (Appendix 8)

Staff's review of the development's conformance with the standards for all planned developments is contained below.

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

Section 16-101 contains six general standards that a planned development must meet. In addition, Sect. 16-102 contains three design standards that all Conceptual and Final Development Plans must satisfy. These standards are summarized below and contained in Appendix 9.

#### **Sect. 16-101 – General Standards**

*Par. 1 requires conformance with the Comprehensive Plan recommendations.* The proposed application to increase the maximum gross floor area for office by 7,359 square feet to allow the marketing center/office building to remain indefinitely is in conformance with the Comprehensive Plan provisions for Fairview Park to remain as developed with office uses. In addition, the application is in conformance with the previously approved CDP which identified this area for office uses, and the executed proffers, except as

proposed to be amended.

*Par. 2 requires that the proposed design achieve the stated purposes of the P-District more than would development under a conventional zoning district. The purpose and intent of the P-Districts is to promote high standards in design and layout and to encourage compatibility among uses within the development and integration with adjacent developments.* Office uses are permitted as a principal use in the PDC District. The marketing center/office building has been located on the property for approximately 29 years and has functioned alongside the 8-story office building and parking garage on the parcel since they were constructed in 2008.

*Par. 3 requires protection and preservation of scenic assets.* The building is existing and high quality landscaping is located along the front of the parcel. The review of the application by the Urban Forest Management Division (Appendix 7) did not identify any concerns.

*Par. 4 requires a design which prevents substantial injury to existing surrounding development and does not deter or impede development of adjacent undeveloped properties.* Surrounding properties include other portions of the overall Fairview Park development, most of which is already constructed. Permitting the existing marketing center/office building to remain would not cause injury to surrounding existing uses or prevent their redevelopment in conformance with the Comprehensive Plan recommendations.

*Par. 5 requires that adequate transportation and other public facilities are or will be available to serve the proposed use.* Necessary facilities are available to serve the existing development. The Fairfax County Fire and Rescue Department reviewed the application and did not identify any concerns. Similarly, the Fairfax County Department of Transportation and the Virginia Department of Transportation did express any concerns with the proposed application (Appendix 8). It was noted during the review that the walkway from the building entrance on the north side to the asphalt trail along Fairview Park Drive consists of stepping stones. The applicant has agreed to pave the walkway as previously contemplated. Otherwise, no land disturbance is proposed and no additional stormwater review will be required. There is no RPA or floodplain located in the subject property, nor are there any significant, contemporary downstream stormwater complaints on file for which stormwater from this property might have an impact.

*Par. 6 requires that coordinated linkages be provided among internal facilities and services, as well as connections to major external facilities and services.* Pedestrian walkways connect the existing marketing center/office building to adjacent parking structures and buildings.

### Sect. 16-102 – Design Standards

*Par. 1 states that at the peripheral lot lines, the bulk regulations and landscaping and screening for the proposed development should generally conform to the provisions of the most comparable conventional district.* The existing marketing center/office building is located internal to the Fairview Park development.

*Par. 2 states that the open space, parking, loading, sign and all other similar regulations shall have application in all planned developments.* This application satisfies all of these applicable Zoning Ordinance provisions. The parking requirement is exceeded, as is the open space requirement.

*Par. 3 states that streets and driveways shall be designed to generally conform to the provisions of the Ordinance and a coordinated network of trails and sidewalks shall be provided.* No new streets or driveways are proposed, and trails and sidewalks are existing. The applicant has agreed to pave the walkway to the northern building entrance.

*Par. 4 states that emphasis should be placed on the provision of recreational amenities and pedestrian access.* The existing building does not affect the provision of recreational amenities. Pedestrian access connects the building entrances to surrounding parking and buildings.

Overall, in staff's opinion the application satisfies the General Standards and Design Standards for Planned Developments.

### **CONCLUSIONS AND RECOMMENDATIONS**

The applicant requests approval to increase the maximum gross floor area for office by 7,359 square feet to allow the existing marketing center/office building to remain indefinitely. Staff concludes that the application is in harmony with the Comprehensive Plan and conforms to the applicable provisions of and Zoning Ordinance.

Staff recommends approval of PCA 78-P-130-02 and the associated conceptual development plan amendment, CDPA 78-P-130-03, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of FDPA 78-P-130-09 subject to the development conditions contained in Appendix 2 and the Board's approval of the associated PCA and CDPA.

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. The approval of this application does not interfere with, abrogate or annul

any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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. Proposed Development Conditions
3. Statement of Justification
4. Affidavit
5. Approved Proffers and CDP for RZ 78-P-130
6. Approved FDPA and Development Conditions for FDPA 78-P-130-08
7. Urban Forest Management Division Review
8. Fairfax County Department of Transportation Review, and Virginia Department of Transportation Review
9. Zoning Ordinance Provisions
10. Glossary

**Fairview Park South (3112 Fairview Park Drive)**

PCA 78-P-130-2

December 14, 2015

Pursuant to Section 15.2-2303(a), Code of Virginia 1950 as amended, and subject to the Board of Supervisors approval of the requested Proffered Condition Amendment on property identified as Tax Map 49-4 ((1)) 72 (hereinafter referred to as the "Property"), the Applicant and owners for themselves, their successors and assigns proffer that the development of the Property shall be in substantial conformance with CDPA 78-P-130-03 and FDPA 78-P-130-09, or subsequent amendments related to the Property, and subject to the approved proffers associated with RZ-78-P-130 approved on May 18, 1981, which shall remain in full force and effect except as amended below:

Revise Proffer A. LAND USE 1 to read:

1. Subject development shall have no more than 2.2574 million square feet of non-residential development on the area west of Holmes Run Stream Valley. At least 35% of the area west of the Holmes Run Stream shall be provided as natural and landscaped open space. Underground or multilevel structured parking is encouraged to preserve the maximum amount of undisturbed open space. The non-residential development shall be an integrated business park consisting of no more than 1.974 million square feet of office space, 50,000 square feet of retail commercial space and 500 room hotel, and 250 residential units.

APPLICANT/TITLE OWNER OF TAX  
MAP 49-4 ((1)) 72

COPT FAIRVIEW LLC

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Name: Stephen E. Budorick  
Title: Executive Vice President and COO

**PROPOSED FINAL DEVELOPMENT  
PLAN AMENDMENT CONDITIONS**

**FDPA 78-P-130-09**

**December 30, 2015**

If it is the intent of the Planning Commission to approve Final Development Plan Amendment FDPA 78-P-130-09 to permit the existing marketing center/office building to remain indefinitely, located at Tax Map 49-4 ((1)) 72, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions which supersede all previous conditions (those conditions carried forward from previous approval that apply to the subject property are marked with an asterisk\*):

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment titled "Fairview Park," prepared by Urban Ltd. and consisting of four sheets dated May 2015, as revised through November 10, 2015.
2. As shown on the FDPA, the walkway from the asphalt trail to the marketing center/office building shall be paved within six months from the date of approval.
3. At a minimum, the applicant shall maintain landscaping on the application property as generally shown on Sheet 3 of FDPA 78-P-130-08, pursuant to the approval of the Urban Forest Management Division. Replacement deciduous tree(s) shall be a minimum of two (2) to two and one-half (2-1/2) inches in caliper and replacement evergreen trees a minimum of six (6) to eight (8) feet in height at the time of planting.\*

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

# Holland & Knight

1600 Tysons Boulevard, Suite 700 | McLean, VA 22102 | T 703.720.8600 | F 703.720.8610  
Holland & Knight LLP | www.hklaw.com

RECEIVED  
Department of Planning & Zoning

JUL 13 2015

Zoning Evaluation Division

Stuart Mendelsohn  
(703) 720-8071  
stuart.mendelsohn@hklaw.com

June 18, 2015

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

Re: Statement of Justification for PCA 78-P-130-02 and FDPA 78-P-130-08.

Dear Ms. Berlin:

The following is submitted as justification and support for the aforementioned Proffered Condition Amendment and Final Development Plan Amendment ("PCA/FDPA").

## **I. Property and Statement of Ownership**

The following is submitted as justification and support for the aforementioned Proffered Condition Amendment and Final Development Plan Amendment ("PCA/FDPA").

## **I. Property and Statement of Ownership**

COPT Fairview, LLC (the "Applicant") is the owner of the property identified with Fairfax County Tax Map Number 49-4 ((1)) 72 (the "Subject Property"). The Applicant acquired the Subject Property in good faith. The Subject Property is a 265,137 square foot parcel located on the west side of the Fairview Park Drive Loop, east of the Capital Beltway (I-495) and is part of a larger development known as Fairview Park within the Providence District.

## **II. Background**

Fairview Park, a 110± acre development, was rezoned to the PDC zoning district pursuant to the approval of RZ 78-P-130 by the Board of Supervisors on May 18, 1981, subject to proffers. The Fairview Park development is approved for a total 2,250,000 square feet, of

which 1,900,000 square feet is approved for office GFA. One of the existing buildings on Subject Property is a marketing center/office building which was added to the Final Development Plan as an interim use pursuant to the approval of FDPA 78-P-130-05 by the Planning Commission on October 7, 1998, more than 16 years ago. Per this approval, the marketing center/office building was approved for 15,378 square feet and was to be abandoned upon construction of Building C. Included in the FDPA approval were planned additions to the existing marketing center/office building. These additions were not constructed, and were deleted from the Final Development Plan pursuant to the approval of FDPA 78-P-130-08 by the Planning Commission on March 29, 2006. This approval also extended the use of the office building until the unknown time that Building A is constructed. As of the date of this application, construction has not yet begun for Building A. FDPA 78-P-130-08 approved the marketing center/office building to for an unknown period of time and a GFA of 7,359 square feet.

### **III. Proposal**

This application seeks to amend the proffered conditions and the final development plan for Fairview Park to allow the marketing center/office building to permanently remain part of the development by adding the 7,359 square feet of the marketing center/office building to the maximum permitted GFA. This request would only increase the FAR by .0015, a de minimis addition of .33% of the total Fairview Park GFA and .38% of the total office GFA.

While Fairview Park consists of mostly high rise office buildings there is a market for a small stand-alone office space. The Applicant in seeking this approval wishes to be able to accommodate a long-term tenant. The marketing center/office building has existed for over sixteen years already and it is uncertain when Building A will be constructed. This application requests the de minimis addition of less than one half of one percent of GFA to the entire development. The Applicant does not have any plans to increase the size of the marketing center/office building and cannot lease the facility without knowing how long it can exist. This application does not affect the other parcels within Fairview Park.

### **IV. Conformance with the Comprehensive Plan**

The Subject Property is located in the western portion of Land unit J of the Merrifield Suburban Center, which is in Area I of the Fairfax County Comprehensive Plan. The Comprehensive Plan describes the existing Fairview Park as a mix of office, hotel and support retail uses.

Since the approval of the rezoning creating Fairview Park, the Board of Supervisors have amended the Comprehensive Plan to acknowledge the FAR ceiling proffered may be flexible, to a limited extent. The version of the Comprehensive Plan in effect on May 18, 1981, the date RZ 78-P-130 was originally approved stated:

*“any proposal for an employment center on the southeast quadrant of the I-495/Route 50 interchange shall have no more than 2.25*

*million square feet of nonresidential development on the area west of Holmes Run Stream Valley The nonresidential development **shall** consist of 1.9 million square feet of office space, 50,000 square feet of retail commercial space and a 350-room hotel. In addition, a maximum of 250 residential units might be considered on this portion of the site."*

The current version of the Comprehensive Plan softened this density maximum language by replacing the mandatory term "shall" with the more lenient term "should". The language of the current Comprehensive Plan reads:

*"any proposal for an employment center on the southeastern quadrant of the I-495/Arlington Boulevard interchange **should** have no more than 2.25 million square feet of nonresidential development on the area west of Holmes Run stream valley. The nonresidential development **should** consist of 1.9 million square feet of office space, 50,000 square feet of retail commercial space and a hotel."*

This change in standard is not trivial. It was an affirmative action of the Board of Supervisors acknowledging there are benefits to adding a certain amount of flexibility to the density to the density of Fairview Park.

The Comprehensive Plan also states that at least 35% of the development should remain open space. As shown on FDPA 78-P-130-8, 55± acres of the development are preserved as open space representing 50% of the development. This figure includes the marketing center/office building. Furthermore, the Subject Property itself contains 35% open space, including the marketing center/office building. As such, this proposal is in conformance with the open space guidance of the Comprehensive Plan.

#### **V. Conformance with the Zoning Ordinance.**

§16-402 of the Zoning Ordinance provides four considerations when amending a final development plan. First, the amendment should not adversely affect the use of the property subject to the final development plan and conditions but not incorporated into the amendment application. Second, the amendment should not inhibit, adversely affect, or preclude in any manner the fulfillment of the final development plan and conditions applicable to the area not incorporated into the amendment application. Third, the amendment should not adversely affect the vehicular and pedestrian circulation, connectivity, landscaping and streetscape applicable to the area not incorporated into the amendment application. Fourth, the amendment should not increase the overall approved density/intensity for the development.

The marketing center/office building has existed in Fairview Park for over sixteen years. As such, there are no adverse effects on any portion of the development as a result of this

application. This application simply seeks to allow a desirable office space, which has been part of the development for almost two decades, to remain as part of the development. Upon approval of the Proffered Condition Amendment, the Final Development Plan Amendment would not increase the overall approved density/intensity of the development. As explained above, this application seeks a de minimis increase to the maximum FAR. This application seeks an addition of .33%, less than one half of one percent, of the total approved GFA.

§6-208 of the Zoning Ordinance sets a maximum floor area ratio for a PDC district at 1.5 FAR. This FAR ceiling may be increased by the Board of Supervisors up to a maximum of 2.5. Fairview Park is currently approved with a FAR of .29, which is well below the maximum under the Zoning Ordinance. Adding the 7,359 square feet of the marketing center/office building to Fairview Park would only increase the FAR by .0015. As such, this proposed amendment is in conformance with the maximum FAR permitted in the zoning ordinance.

§6-209 of the Zoning Ordinance requires that at least 15% of the gross floor area within the zoning district be open space. As explained above, both the development and Subject Property maintain multiples of the minimum required open space.

The Applicant believes that the plans submitted are adequate for review of the amendment and, therefore, requests waiver of any submission requirement that is not represented on the FDPA plat submitted with this application in accordance with the provisions set forth in Paragraph 10C of Section 16-402 of the Zoning Ordinance.

The Applicant does not propose any new construction and, therefore, requests a waiver of the submission requirements set forth in Paragraph 1F of Section 16-502 of the Zoning Ordinance.

Finally, the existing and proposed development of the Application Property conforms to all current applicable land development ordinances, regulations and adopted standards except as qualified in the Final Development Plan Amendment.

## **VI. Conclusion**

This application seeks a very narrow and de minimis amendment to the Proffered Condition and Final Development Plan that poses no impact on the other parcels within Fairview Park. Should you require additional information, please do not hesitate to contact me.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Stuart Mendelsohn

**REZONING AFFIDAVIT**

DATE: July 13, 2015  
 (enter date affidavit is notarized)

I, Stuart Mendelsohn, Applicant's Authorized Agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

131560

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

in Application No.(s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
COPT Fairview, LLC Agent: Wayne H. Lingafelter	6711 Columbia Gateway Drive Suite 300 Columbia, MD 21046	Applicant/Title Owner Tax Map No.: 0494 01 0072
Holland & Knight LLP Agents: Stuart Mendelsohn Michelle A. Rosati David I. Schneider	1600 Tysons Boulevard Suite 700 Tysons Corner, VA 22102	Attorneys/Agents for Title Owner

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

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

REZONING AFFIDAVIT

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
COPT Fairview, LLC  
6711 Columbia Gateway Drive, Suite 300  
Columbia, MD 21046

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

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

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Corporate Office Properties, L.P.

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

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

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

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

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, COPA P-130-03  
(enter County-assigned application number (s))

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

COPT Fairview, LLC  
6711 Columbia Gateway Drive, Suite 300  
Columbia, MD 21046

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

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

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

Corporate Office Properties, L.P.

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

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

Roger A. Waesche, Jr., President & Chief Executive Officer; Stephen E. Budorick, Executive Vice President and Chief Operating Officer; Wayne H. Lingafelter, Executive Vice President-Development & Construction Services; Anthony Mifsud, Executive Vice President and Chief Financial Officer; Holly G. Edington, Senior Vice President – Human Resources; (Information continued in section below)

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

(continuation from above)

COPT Fairview, LLC  
6711 Columbia Gateway Drive, Suite 300, Columbia, MD 21046

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

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

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

Corporate Office Properties, L.P.

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

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

Stephanie L. Shack, Senior Vice President and Assistant Secretary; Karen M. Singer, Senior Vice President, General Counsel and Secretary; Gregory J. Thor, Senior Vice President, Chief Accounting Officer and Controller; Scott D. Robuck, Vice President -- Finance and Treasurer; David L. Finch, Vice President and Assistant Secretary

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

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

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, COPA 78-P-130-03  
(enter County-assigned application number (s))

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

Corporate Office Properties Trust  
Attn: General Counsel  
6711 Columbia Gateway Drive, Suite 300

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

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

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

Corporate Office Properties Trust is a publicly traded company and no shareholder owns 10% of the title owner COPT Fairview, LLC.

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

Roger A. Waesche, Jr., President & Chief Executive Officer; Stephen E. Budorick, Executive Vice President and Chief Operating Officer; Wayne H. Lingafelter, Executive Vice President-Development & Construction Services; Anthony Mifsud, Executive Vice President and Chief Financial Officer; Holly G. Edington, Senior Vice President – Human Resources; (Information continued in section below)

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

(Continuation from above)  
Corporate Office Properties Trust, Attn: General Counsel  
6711 Columbia Gateway Drive, Suite 300, Columbia, Maryland 20146

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

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

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

Corporate Office Properties Trust is a publicly traded company and no shareholder owns 10% of the title owner COPT Fairview, LLC.

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

Stephanie L. Shack, Senior Vice President and Assistant Secretary; Karen M. Singer, Senior Vice President, General Counsel and Secretary; Gregory J. Thor, Senior Vice President, Chief Accounting Officer and Controller; Scott D. Robuck, Vice President -- Finance and Treasurer; David L. Finch, Vice President and Assistant Secretary

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

REZONING AFFIDAVIT

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, COPA 78-P-130-03  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

Holland & Knight LLP  
1600 Tysons Boulevard, Suite 700  
Tysons Corner, Virginia 22102

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

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

- Michael Abel
- Glenn Adams
- Martin J. Alexander
- David B. Allswang
- Rod Anderson
- Norman B. Antin
- Mark I. Aronson
- Shenan R. Atcitty
- Joel M. Athey
- Adam August
- Chester E. Bacheller
- James L. Baker
- Philip Baker-Shenk
- Gregory Baldwin
- Anderson L. Baldy
- Stephen Ball
- Deborah E. Barnard
- Jacob K. Baron

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

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

**Rezoning Attachment to Par. 1(c)**DATE: July 13, 2015  
(enter date affidavit is notarized)131560for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Holland & Knight LLP  
1600 Tysons Boulevard, Suite 700  
Tysons Corner, Virginia 22102(check if applicable)  The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,  
**General Partner, Limited Partner, or General and Limited Partner**)

Bernard Barton	Timothy J. Conner	George D. Gabel, Jr.
Daniel K. Bean	Peter M. Connolly	Suzanne E. Gilbert
Neal N. Beaton	Louis T.M. Conti	Steven L. Gillman
Meredeth Beers	J. Raul Cosio	Norman M. Glasgow, Jr.
Rodney H. Bell	Kevin E. Coventon	Rich Gold
David S. Black	Richard A. Crowley	Joseph G. Goldstein
Stacy D. Blank	Maria T. Currier	Enrique Gomez-Pinzon
William R. Bloom	Lawrence Curtin	Alex Gonzalez
Noel Robert Boeke	Jesus E. Cuza	Steven Gordon
Sanford L. Bohrer	Christopher G. Cwalina	William F. Gould
Susan Jennifer Booth	John D. Dadakis	Frederick J. Grady
Christopher Boyett	Laurie Webb Daniel	Robert J. Grammig
Aaron P. Bradford	Douglas F. Darbut	George J. Gregores
Robert Bradner	Jim Davis	Joseph Guay
Frederick Braid	Vivian C. de las Cuevas-Diaz	Jeffrey D. Haas
Christopher C. Brockman	Kristin A. DeKuiper	Richard B. Hadlow
Jonetta L. Brooks	William B. deMeza	John F. Halula
John L. Brownlee	Harry R. Detwiler	Lawrence J. Hamilton, II
Harold Bucholtz	Josias Dewey	Theodore F. Hanselman
William H. Burchette	Edward Diaz	Peter P. Hargitai
William P. Byrne	Gregory J. Digel	Nancy L. Hengen
Lynn K. Cadwalader	R. David Donoghue	Alberto M. Hernandez
Lynn E. Calkins	Phillip L. Durham	Jennifer Hernandez
Christopher L. Camarra	Martin Durkin	Jorge L. Hernandez-Toraño
Brett D. Carroll	Richard D. Eckhard	Mitchell E. Herr
Kelly-Ann Cartwright	Brandon H. Elledge	Anthony J. Herrera
Jose A. Casal	Steven M. Elrod	Sara Christina Heskett
Antonio Casares Carrillo	James M. Ervin	Edward R. Hickey
J. Michael Cavanaugh	Philip Tucker Evans	Robert S. Highsmith, Jr.
James C. Chadwick	Irwin J. Fayne	Richard J. Hindlian
Michael Chapman	Walter T. Featherly	Jerome W. Hoffman
Doug Clapp	William K. Fendrick	John M. Hogan
Jeffrey P. Clevon	Vincent J. Foley	James Hohenstein
Jerald S. Cohn	M. Matthew Fontane	Brian K. Hole
Brian J. Colandreo	Anthony S. Freedman	Marilyn J. Holifield
Ivan Colao	Michael J. Frevola	William J. Honan
David S. Cole	Peter Friedman	Dennis Horn
Charles L. Coleman, III	Robert Friedman	Joseph Hornyak
Christopher H. Collins	Michael M. Gaba	Stephen J. Humes

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

**Rezoning Attachment to Par. 1(c)**DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, WPA 78-P-130-03  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Holland & Knight LLP  
1600 Tysons Boulevard, Suite 700  
Tysons Corner, Virginia 22102(check if applicable)  The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,  
**General Partner, Limited Partner, or General and Limited Partner**)

Richard Hutchison	Kathryn Hazeem Lehman	La Fonte Nesbitt
Kenneth Jenero	Ralph T Lepore, III	Michael Brill Newman
Adolfo E. Jimenez	Shari Levitan	Scott B. Newman
Charles S. Johnson, III	Bruce Loring	Tracy A. Nichols
Jenny L. Johnson	Kenneth K. Lowenstein	Kathleen Nilles
Scott J. Johnson	Leisa Smith Lundy	Matthew E. Norton
David A. Jones	Dominic C. MacKenzie	Kathryn W. Oberto
Robert W. Jones	Robert MacKichan	Ronald Oleynik
David S. Kahn	Ieuan Mahony	John P. O'Neill
Robert J. Kaler	James L. Main	Debbie M. Orshefsky
Samuel P. Kastner	J. Allen Maines	Boris Otto
Gordon P. Katz	Michael Mannix	Kevin E. Packman
Bonni Kaufman	Michael R. Manthei	Frederick D. Page
G. Roth Kehoe	Jonathan S. Marcus	David L. Perry
Kerry S. Kehoe	Marisa Marinelli	William Piels
Francis Keldermans	Elias Matsakis	Tamsen Plume
Christopher G. Kelly	D. Bruce May, Jr.	James Harold Power
Paul J. Kiernan	James Mayer	John F. Pritchard
Paul F. Kilmer	Juan J. Mayol Jr.	Roberto R. Pupo
Eric W. Kimball	Tom McAleavey	Christopher J. Reynolds
Bradford Kimbro	Louise McAlpin	Frederick Rohn
Ronald J. Klein	C. Grant McCorkhill	Bruce S. Ross
Tammy Knight	James e. McDermott	Christine C. Ryan
Chris Kolos	Brian a. McDowell	Stuart M. Saft
Edward Koren	Miriam McKendall	Alban Salaman
Daniel L. Kraus	Gregory r. Meeder	Shannon Hartsfield Salimone
Joshua Krumholz	George Mencio	John J. Sarchio
Michael P. KupperSmith	Stuart Mendelsohn	Tara A. Scanlon
Robert Labate	Judith M. Mercier	Janis Boyarsky Schiff
Elizabeth Lake	Mark C. Michalowski	James E.L. Seay
Edward W. Lam	Nicholas G. Milano	Eugene F. Segrest
Alejandro Landa Thierry	Jeffrey Mittleman	Lawrence Sellers
William R. Lane, Jr.	John J. Monaghan	Jeffrey R. Seul
Mark S. Lange	Amanda Monchamp	Mark Shapiro
Paul Lannon	Anita M. Mosner	Stephen Shapiro
Ruth L. Lansner	Christopher J. Murdoch	Sean C. Sheely
Philip S. Lapatin	William Mutryn	William B. Sherman
Brian G. Leary	Christopher Myers	Gerry Sikorski
Tiffani G. Lee	Charles Naftalin	David C. Silver

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

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

131560

DATE: July 13, 2015  
(enter date affidavit is notarized)

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
(enter County-assigned application number (s))

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

Holland & Knight LLP  
1600 Tysons Boulevard, Suite 700  
Tysons Corner, Virginia 22102

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

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

- |                         |                        |
|-------------------------|------------------------|
| David R. Singleton      | Edward W. Vogel, III   |
| Jose Sirven             | Mark A. von Bergen     |
| Patrick W. Skelton      | Robert W. Vyverberg    |
| David Scott Sloan       | Karen Walker           |
| Daniel I. Small         | Scott C. Wallace       |
| James D. Smeallie       | Robert Allan Warram    |
| Colin J. Smith          | Eric Wechselblatt      |
| Colin P. Smith          | Mel S. Weinberger      |
| Lee S. Smith            | Alan M. Weiss          |
| Stephen W. Snively      | Charles A. Weiss       |
| Steven Sonberg          | Michael J. Werner      |
| Rodolfo Sorondo, Jr.    | Joseph B. Whitebread   |
| M.J. Spelliscy          | David Whitestone       |
| Michael Starr           | Keith M. Wiener        |
| Richard B. Stephens     | James Wing             |
| Andrew W. Stephenson    | Richard R. Winter      |
| Jeffrey Blake Stern     | Thomas R. Woodrow      |
| Fred S. Stovall         | Douglas A. Wright      |
| Charles L. Stutts       | Steven Wright          |
| Michelle White Suarez   | Barbara M. Yadley      |
| Ben Subin               | Richard M. Yanofsky    |
| Nicholas William Targ   | Leighton D. Yates, Jr. |
| Kenji Tatsugi           | Jose V. Zapata         |
| Lee Philip Teichner     | Don Zarin              |
| Jovi Tenev              | Michael J. Zdeb        |
| Marisa C. Terrenzi      | Hongjun Zhang, Ph.D    |
| Vivian Lee Thoreen      |                        |
| Charles Welch Tiedemann |                        |
| Charles D. Tobin        |                        |
| Lisa Tofil              |                        |
| John M. Toriello        |                        |
| Allison E. Turnbull     |                        |
| Melissa S. Turra        |                        |
| Guillermo Uribe Lara    |                        |
| Matthew Vafidis         |                        |
| Joseph H. Varner        |                        |
| H. Barry Vasios         |                        |
| Woodrow W. Vaughan      |                        |
| Kenneth M. Vesledahl    |                        |

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

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

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
(enter County-assigned application number (s))

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

Corporate Office Properties, L.P.  
8815 Centre Park Drive., Suite 400  
Columbia, MD 21045

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

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

Corporate Office Properties Trust, General  
Partner

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

REZONING AFFIDAVIT

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FOPA 78-P-130-09, COPA 78-P-130-03  
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: July 13, 2015  
(enter date affidavit is notarized)

131560

for Application No. (s): PCA 78-P-130-02, FDPA 78-P-130-09, CDPA 78-P-130-03  
(enter County-assigned application number(s))

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

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

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

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

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

WITNESS the following signature:

(check one) [ ] Applicant [x] Applicant's Authorized Agent  
Stuart Mendelsohn, Applicant's Authorized Agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13<sup>th</sup> day of July, 2015, in the State/Comm. of Virginia, County/City of Fairfax.

Shannon L. Moore  
Notary Public

My commission expires: 7/31/2019

SHANNON L. MOORE  
NOTARY PUBLIC  
REG. #7353284  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES JULY 31, 2019

FAIRVIEW PARK PROPOSAL FOR THE SOUTH EASTERN  
QUADRANT OF THE ROUTE 50/I-494 INTERSECTION  
APPLICATION NO. 78-P-130  
(A Part of the Conceptual Development Plan)

PROFFERS

Recognizing his responsibility to the community and to the planning process, the applicant is making the commitments contained hereafter.

These commitments are presented as a "package", the economic impact of which has been carefully determined. Any substantive change in the development plan would necessarily result in a review of the "package" and any increase in any of the listed commitments or any additional commitments could not be made without a similar review.

The following commitments are intended as an integral part of the PDC submission and conceptual development plan and are binding on the applicant provided such PDC and conceptual development plan are approved. However, the location of buildings and of residential mix shown on illustrative plans shall be considered for illustrative purposes only and the specific location of buildings, residential unit mix and related development matters shall be determined at the time of final development plan approval pursuant to provisions of Fairfax County ordinances.

In addition to required approval or approval of modifications of Final Development Plan(s) pursuant to paragraph 4 of Section 16-402 of the Zoning Ordinance, such plan(s) shall be subject to public hearing and action by the Board of Supervisors in a manner prescribed by paragraph 7 of the above cited section.

These commitments shall be binding upon the applicant/owners only upon approval of the requested PDC zoning and the conceptual development plan submitted with Applications 78-P-130 and 80-P-073.

A. LAND USE

1. Subject development shall have no more than 2.25 million square feet of non-residential development on the area west of Holmes Run Stream Valley. At least 35% of the area west of the Holmes Run stream shall be provided as natural and landscaped open space. Underground or multilevel structured parking is encouraged to preserve the maximum amount of undisturbed open space. The non-residential development shall be an integrated business park consisting of no more than 1.9 million square feet of office space, 50,000 square feet of retail commercial space and 500 room hotel, and 250 residential units.

2. The Holmes Run Stream Valley shall be preserved as a stream valley park and dedicated to Fairfax County Board of Supervisors in accordance with the County's adopted stream valley policy.

3. Office building shall not exceed 15 stories in height and hotel/apartment buildings to the west of Holmes Run Stream Valley may exceed 15 stories but in no event shall they exceed 180 feet which is the equivalent height of a 15 story office building.

4. Applicant agrees that the portion of the quadrant east of Holmes Run, north and northwest of Falls Church High School, will be developed for residential units not to exceed 400 dwelling units. These units shall not exceed 3 stories in height. The vacant 10 acre portion of the quadrant south of Falls Church High School will be developed as single family detached units along the eastern property line with attached units adjoining the Fairfax County Park and Stream Valley to the north, west and south respectively as shown on schematic plan for this area.

5. Applicant shall dedicate to the Fairfax County Board of Supervisors land to serve future residents at the location adjacent to Arlington Boulevard and west of Jaquar Trail in that portion outside Stream Valley.

6. Applicant agrees that any retail commercial uses on the site will serve primarily the demand of the other non-residential uses on the site and will be integrated with the overall design and layout of the site.

7. A substantial open space buffer of no less than 250 feet, with 300 feet desirable, consisting of the existing tree cover and supplemented with additional landscaping will be provided along the southern perimeter of the site to eliminate any adverse visual impact upon the detached single family residences to the south of the site. If requested to do so by Fairfax County, this buffer shall be dedicated to the County and maintained in its natural state. However, it is understood that nothing herein shall preclude the installation of any utilities, storm water detention and/or siltation and erosion control devices in accord with Fairfax County Ordinances and Standards.

8. The height of all structures within 500 feet of the southern boundary of the site shall be limited to 6 stories so as to be visually unobtrusive to the stable low density residential communities to the south and east of the site. Applicant agrees to comply with the tapering of heights from the north to the south as shown on the Conceptual Development Plan.

9. The provision of lighting in buildings located within areas of the site abutting adjacent residences and communities shall be visually unobtrusive to and compatible with such residences and adjacent communities. As a general rule, parking lot lighting shall not exceed 13 feet in height.

10. Applicant shall provide internal recreation facilities in accordance with the provisions of Section 6-209 (2) of the Fairfax County Zoning Ordinance. Type and location of such will

be specified on final development plan. Any recreational facilities constructed within areas to be dedicated to the Park Authority shall be subject to the approval of the Park Authority. Applicant will provide a trail connection between southeast and northeast quadrants.

B. TRANSPORTATION

1. Primary residential vehicular access to the tract from Route 50 will be via Jaguar Trail and Camp Alger Avenue. Non-residential access will be provided directly from Route 50 by means of a new interchange located generally west of the Holmes Run Stream Valley. (As shown on applicant's submission)

2. Access to the office-hotel-retail portion of the tract will be provided by a new Route 50 grade separated interchange east of the existing I-495-50 interchange and generally west of Holmes Run Stream Valley. (See Exhibit 1 as subsequently amended) Construction of all transportation improvements on Exhibit 1 shall be the responsibility of the owners of the northeast and southeast quadrants of Route 50 and 495 and said improvements shall be dedicated as public facilities.

3. Applicant agrees to abide by existing covenants which prohibit vehicular access from areas west of Holmes Run to residential neighborhoods south and east of the site. Existing covenants do not preclude proposed construction for the new Route 50 interchange ramps.

4. Applicant agrees to improve a portion of Jaguar Trail and Marc Drive adjacent to the site as well as the intersection of Jaguar and Route 50 in order to accommodate the traffic generated by the residential development of that portion east of Holmes Run Stream Valley in the manner shown on Exhibit 1 as subsequently amended and in accordance with the Fairfax County and VDH&T standards.

5. In the event that the applicant is unable to obtain easements or rights of way necessary for the proposed transportation improvements, the applicant agrees to bear the expense of condemnation for said easements or rights of way which Fairfax County will undertake promptly at the request of the applicant.

6. Applicant agrees that all vehicular access improvements shall meet with the approval of Fairfax County and the Virginia Department of Highways and Transportation (VDH&T); with Federal Highway Administration approval as necessary as well for the new Route 50 interchange and associated I-495 improvements.

7. Applicant agrees to aggressively encourage ridesharing by office building tenants to reduce traffic generated by site development during peak traffic periods by phasing the implementation of the transportation control strategies listed below at appropriate stages in the development of the site; and maintaining these strategies until the applicant provides evidence to the Board of Supervisors that there is no further need. Where appropriate, applicant agrees to work with other area employers (i.e., Mobil, AAA and employers on northeast quadrant) in implementation of this ridesharing.

- ° Establish a formal carpool/vanpool program for Fairview Park employees which will be operational under the direction of the transportation coordinator no later than when 500,000 square feet of commercial space is occupied in either or both tracts provided by and at the expense of the occupants of the commercial uses.
- ° With technical assistance from Washington COG, provide matching service for carpooling and vanpooling candidates.
- ° Developer shall fully fund a position of "transportation coordinator" with appropriate private staff support.
- ° Designate convenient spaces as preferred parking for carpools/vanpools.
- ° Institute a pay parking policy with incentives for ridesharing participants and to reduce concentration of peak-hour traffic.

8. Applicant agrees to aggressively encourage mass transit useage including construction of bus shelters and pedestrian walkways linking adjacent communities to more convenient bus shelters.

9. In the event that WMATA does not operate direct feeder bus service to and between Fairview Park and the Dunn Loring Metro station, the applicant agrees to implement a peak-hour shuttle bus service to the Dunn Loring Metro station in coordination with other major developments in the immediate area.

10. A traffic analysis shall be conducted under the direction of the transportation coordinator at applicant's expense to determine the magnitude of total peak-hour office trips generated by this development. Said analysis shall occur:

- a. Within six (6) months after at least 2.4 million square feet of the total of 3.6 million square feet of office use is completed.
- b. Six (6) months after completion of full development of 3.6 million square feet of office use.

If the total peak-hour trips generated by commercial development by the subject property and the companion tract exceed either 3,300 inbound A.M. trips or 2,971 outbound P.M. trips and these excess trips create a significant change in the peak-hour level of service from that which would be computed in the absence of such trips at either the new interchange on Route 50 or at the northeast tract connection to Routes 29-211, additional transportation strategies shall be developed to reduce the peak-hour effect of the incremental trips to a level commensurate with the above allowable AM and PM peak hour trips.

If the total peak-hour generated trips after occupancy of 2.4 million square feet of commercial uses exceed 75% of either 3,300 inbound A.M. trips or 75% of 2,971 outbound P.M. trips, issuance of building permits for commercial uses in excess of 3.0 million square feet may be deferred by the Board of Supervisors for a period not to exceed two years to allow development and implementation of additional transportation strategies designed to assure that at the time of occupancy of the total of 3.6 million square feet of commercial use the peak-hour traffic generated by the subject property and the companion tract shall not exceed the above projections.

In order to agree impartially on the degree of the incremental impact (if any) and the most practical strategies for implementation (if required) traffic recommendations developed by the transportation coordinator shall be submitted to the Board of Supervisors. If the Board of Supervisors does not agree with the traffic analysis, the Board of Supervisors shall submit said analysis for review to an arbitration board. Said arbitration board shall consist of the following members:

- (1) One representative transportation consultant appointed and funded by Fairview Park developer.
- (2) One representative transportation consultant appointed and funded by developer of northeast quadrant.
- (3) One representative transportation engineer appointed by Fairfax County Board of Supervisors.
- (4) One representative transportation engineer appointed by VDH&T.

If the said arbitration board cannot reach a consensus opinion on the said analysis, a fifth traffic consultant shall be

appointed by the four traffic consultants selected pursuant to the above procedure. The decision of the fifth transportation consultant concerning the accuracy of said analysis shall be binding upon all parties. Compensation of the fifth traffic consultant shall be paid equally by developers of northeast and southeast quadrant unless otherwise determined by the Fairfax Board of Supervisors.

Upon approval of the arbitration board, appropriate transportation strategies shall be instituted by applicant as soon as practical. If the peak-hour traffic levels are under the allowable limits, no action shall be taken.

In the event that revised strategies shall be required as described, additional monitoring and/or analysis shall be conducted by applicant to determine the adequacy of the revised strategies and the results submitted to the Board of Supervisors of Fairfax County for review and additional procedures in accord with the provisions of this proffer shall be undertaken by applicant if requested by the Board of Supervisors.

In the event additional monitoring and/or analysis and/or revised strategies shall be required from time to time in accordance with this provision, the cost of the revised strategies and the additional monitoring and/or analysis shall be paid by the developers of the subject property and the companion property and/or occupants of the commercial uses.

11. Construction of substantially all the foregoing transportation improvements including the overpass and associated ramps shall be completed prior to first occupancy of the commercial portions of the development. However, with the concurrence of the County and VDH&T, certain portions of the improvements, such as the additions to the I-495 CD lanes may be deferred until a later phase of development. The issuance of building permits for commercial structures shall be dependent upon receipt by appropriate governmental authority of assurance that the grade separation at US Route 50 and associated ramps shall be available for use prior to the date of first occupancy of the commercial facilities.

C. ENVIRONMENT

1. Holmes Run Stream Valley Shall be preserved as a stream valley park in accordance with the County's adopted stream valley policy. However, the applicant shall have the right to construct and provide for utilities, storm water detention facility, siltation and erosion devices, interchange ramps, recreational facilities and such other improvements including but not limited to selective clearing necessary for improvements of the stream channel and/or sound forest management practices. Applicant shall dedicate said land to the County.

2. Applicant agrees to provide non-vehicular access to and through the Holmes Run Stream Valley as shown on the conceptual development plan.

3. Applicant agrees that a portion of the existing tree cover (not less than 25 feet of natural tree cover and/or landscaped open space) shall be preserved as a natural open space, screen and buffer along the periphery with I-495 and Route 50, while permitting points of visibility at selected intervals.

4. The applicant agrees to provide stormwater detention facilities which are designed in accord with the requirements and objectives of Fairfax County for the Upper Holmes Run watershed. More specifically, the applicant shall provide for detention/retention which will control peak discharge for the post-development state in excess of that which is calculated for the pre-development condition. This commitment shall be accomplished by the provision of detention reservoirs located in the northeastern and northwestern tributaries of the Holmes Run which traverse this property, more specifically identified by the Fairfax County Department of Public Works as detention reservoir sites DR 494-4 and DR 503-1. These reservoirs shall be designed for the 25-year and 2-year frequency storms of one-hour durations and generally will be in substantial conformance with the following design characteristics for each of the two reservoirs.

DR 494-4

Q25 In = 548 cfs	$t_p$ In = 15 minutes
Q25 Out = 85 cfs	$t_p$ Out = 70 minutes

25-Year Storage Volume Required = 21 acre feet

Q2 Out = 26 cfs	$t_p$ Out = 135 minutes
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2-Year Storage Volume Required = 13 acre feet

DR 503-1

Q25 In = 782 cfs  
Q25 Out = 595 cfs

$t_p$  In = 20 minutes  
 $t_p$  Out = 25 minutes

25-Year Storage Volume Required = 5 acre feet

Q2 Out = 356 cfs

$t_p$  Out = 25 minutes

2-Year Storage Volume Required = 1.6 acre feet

It shall be understood that provision of these storm water detention facilities will require the modification of the two aforementioned tributaries. Furthermore, whereas the applicant intends to maximize the preservation of the open space buffer, more specifically described as condition A-7, the applicant will minimize the provision of storm water detention facilities in the southwestern tributary which traverses the subject site, however the applicant shall provide for those siltation and erosion control devices including temporary siltation ponds which may be requested or required in accord with the Fairfax County Public Facilities Manual.

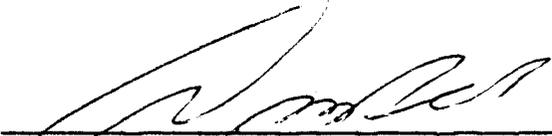
5. Applicant will comply with all Federal, state and local air and noise laws, ordinances and regulations applicable to development of this site.

6. Fairfax County identifies the subject property as an area of potential adverse noise impact resulting from adjacent highway uses.

In order to mitigate the adverse impact, if any of highway noise, residential units constructed on the subject property shall have the following acoustical attributes:

- a. Roofs and exterior walls shall be designed to have a laboratory sound transmission class (STC) of at least 39.
- b. Doors and windows shall be designed to have a laboratory sound transmission class (STC) of at least 28.
- c. Adequate sealing and caulking between surfaces shall be accomplished.

No structures for either commercial or residential use shall be erected within the 75 dba Ldn noise zone, such zone is more particularly shown on plat prepared by the Fairfax County staff and is attached to the Staff Report, being further that area within 400 feet of the centerline of I-495.



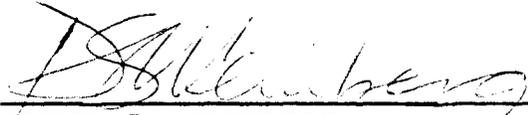
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WILLIAM H. PLANK, President  
WHP, Inc., Partner, Fox Chase Joint  
Venture



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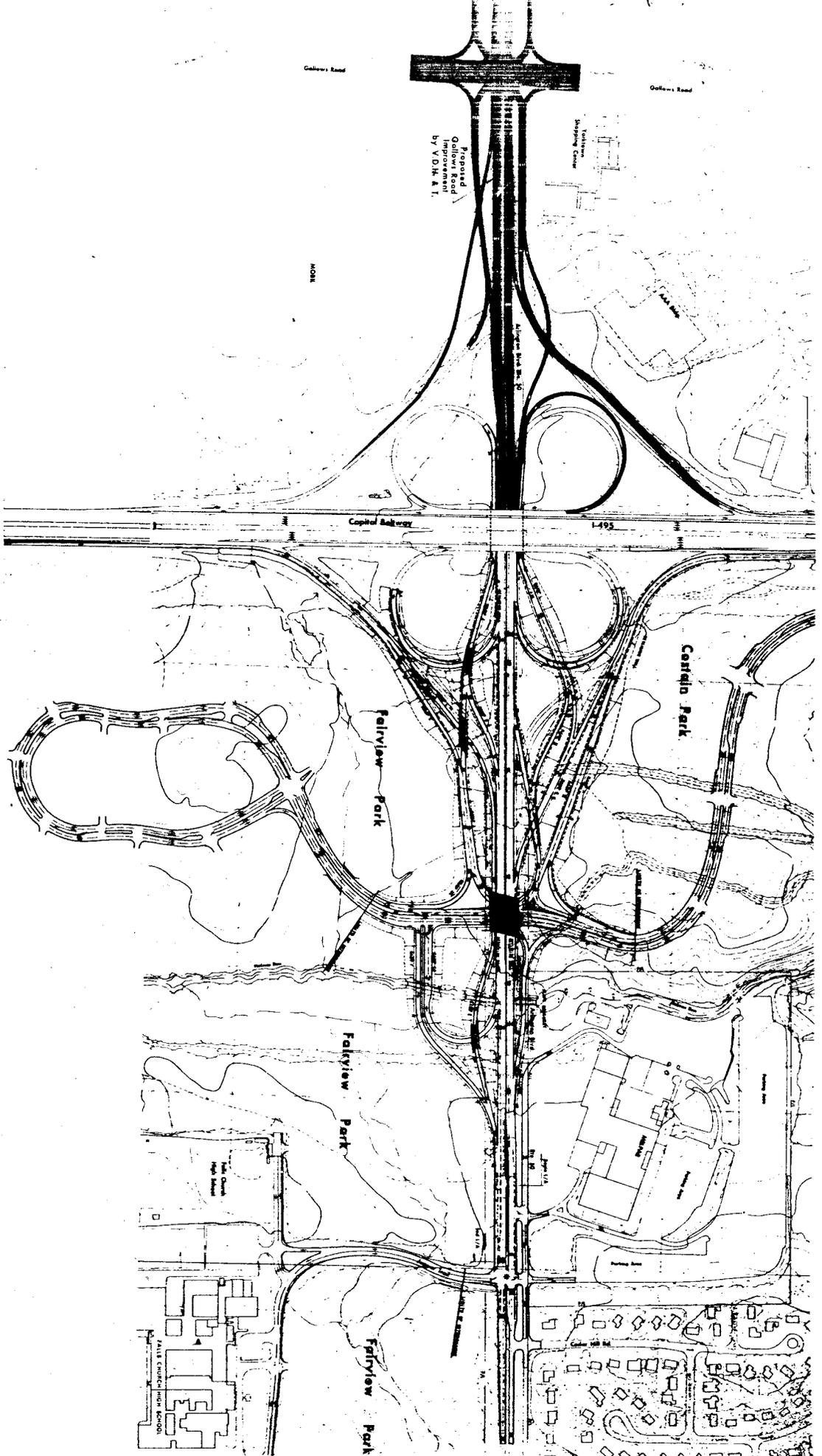
P. REED WILLS, President  
Wills Investment, Inc., Partner,  
Fox Chase Joint Venture

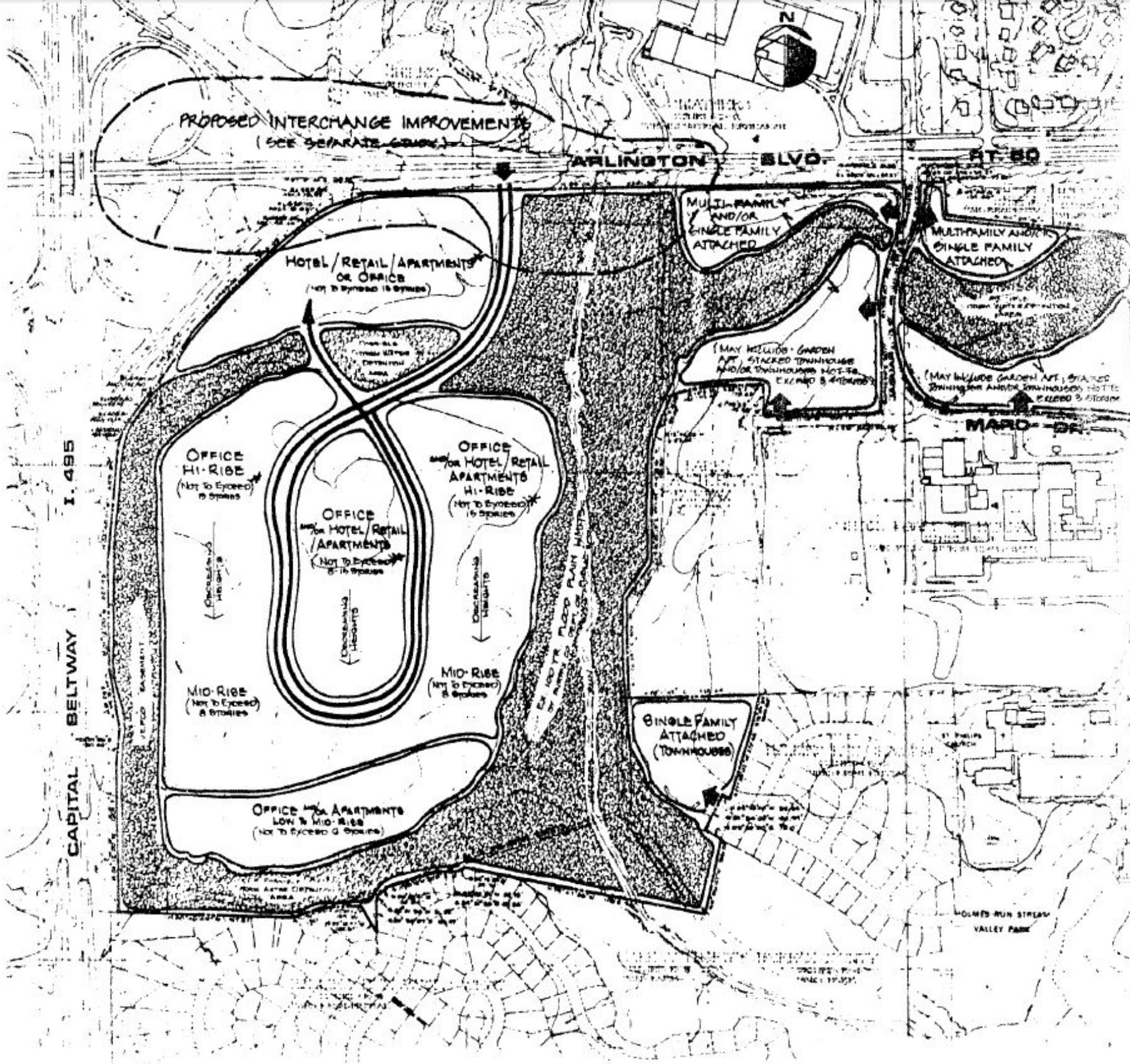


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DAVID S. WEINBERG,  
Executive Vice President  
C.F. Properties (Virginia), Inc.

5/11/81





R278-P-130  
CONCEPTUAL DEVELOPMENT PLAN

**APPROVED DEVELOPMENT CONDITIONS****FDPA 78-P-130-8****March 29, 2006**

If it is the intent of the Planning Commission to approve FDPA 78-P-130-8, located at Tax Map 49-4 ((1)) 72, previously approved for a temporary use as a marketing center/office building, to modify the development conditions to permit the continued use of the marketing center/office building (but without the previously approved addition) during the ongoing buildout of Fairview Park, staff recommends that the approval be subject to the following development conditions. All previous development conditions governing this site shall be reaffirmed except as specifically stated below.

1. Development of the subject property will be in substantial conformance with the Final Development Plan (FDP), which consists of three (3) sheets prepared by Dewberry and Davis LLC and dated October 5, 2005, revised through March 13, 2006.
2. At a minimum, the applicant shall maintain landscaping on the application property as generally shown on Sheet #3 of the FDP, pursuant to the approval of Urban Forest Management. Replacement deciduous tree shall be a minimum of two (2) to two and one-half (2-1/2) inches in caliper and replacement evergreen trees a minimum of six (6) to eight (8) feet in height at the time of planting.



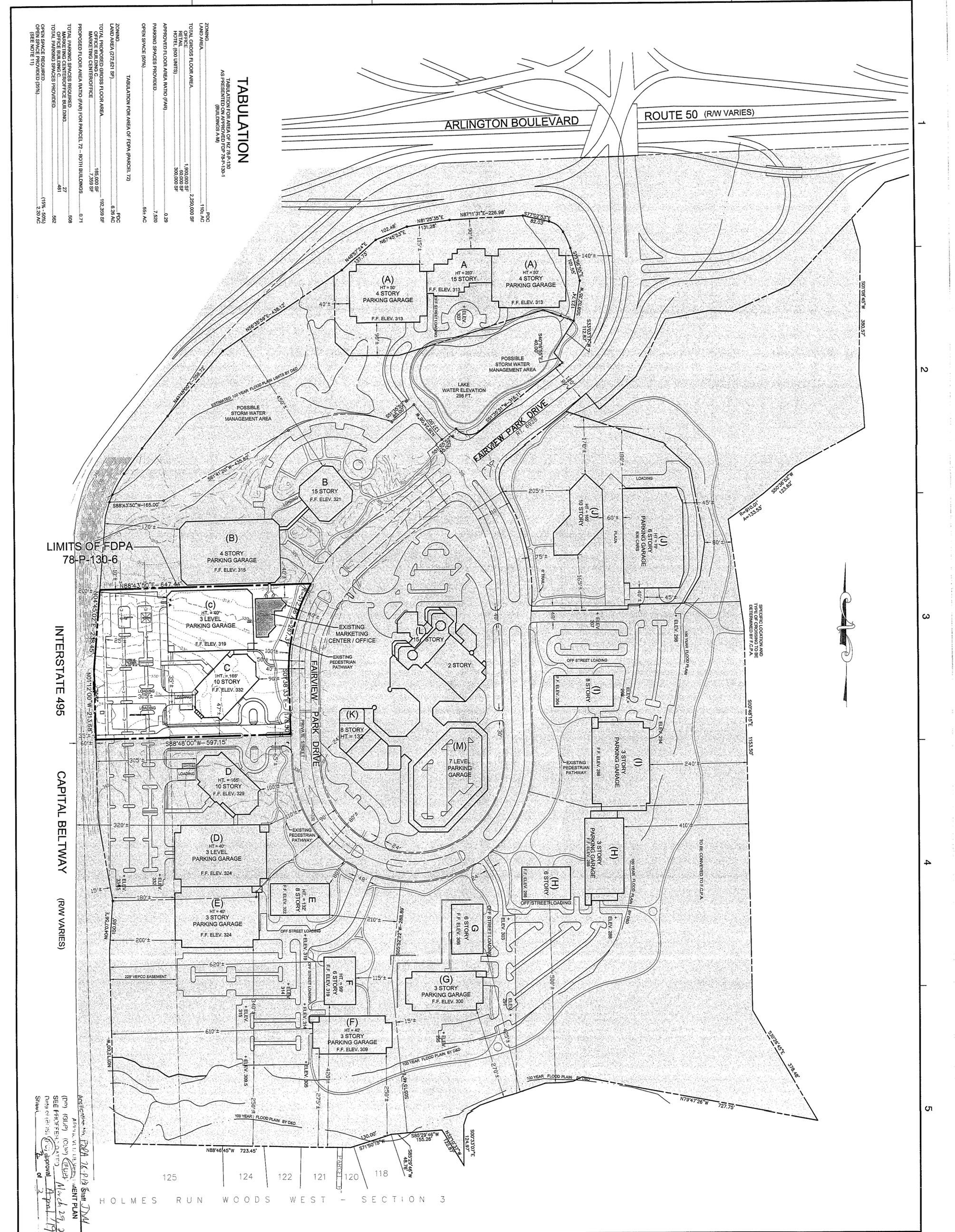
### TABULATION

TABULATION FOR AREA OF 78-P-130-6  
AS REPRESENTED ON APPROVED FDP-78-P-130-6  
(BUILDINGS A-M)

ZONING	PDCC
LAND AREA	110.4 AC
TOTAL GROSS FLOOR AREA	2,250,000 SF
OFFICE	1,900,000 SF
RETAIL (600 UNITS)	50,000 SF
HOTEL (600 UNITS)	500,000 SF
APPROVED FLOOR AREA RATIO (FAR)	0.29
PARKING SPACES PROVIDED	7,520
OPEN SPACE (60%)	66.24 AC

TABULATION FOR AREA OF FDPA (PARCEL 17)	
ZONING	PDCC
LAND AREA	6.28 AC
TOTAL GROSS FLOOR AREA	182,393 SF
OFFICE BUILDING C	182,393 SF
MARKETING CENTER/OFFICE	0.71
PROPOSED FLOOR AREA RATIO (FAR) FOR PARCEL 17 - BOTH BUILDINGS	0.71
TOTAL PARKING SPACES REQUIRED	508
OFFICE BUILDING C	27
MARKETING CENTER/OFFICE BUILDING	562
TOTAL PARKING SPACES PROVIDED	592
OPEN SPACE REQUIRED (19% - 50%)	1.19 - 3.14 AC
OPEN SPACE PROVIDED (65%)	2.53 AC



PROJECT NO. FDPA 78-P-130-8

**Final Development Plan Amendment**

DATE: October 5, 2005

TITLE: Final Development Plan Amendment

APPROVED BY: [Signature]

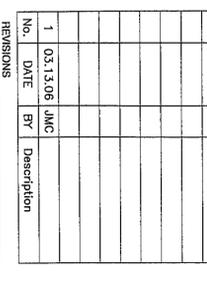
CHECKED BY: [Signature]

DATE: October 5, 2005

PROJECT NO. M-10567

SHEET NO. 2 OF 3

NO.	DATE	BY	DESCRIPTION
1	03.13.06	JMC	



KEY PLAN

SEAL: [Professional Engineer Seal for James C. Culbert, No. 0002 00112, 3-13-06]

FAIRVIEW PARK  
Final Development Plan  
Amendment  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

**Dewberry**

Dewberry & Davis, LLC  
8001 ARLINGTON BLVD.  
FAIRFAX, VA 22031  
TEL: 703.889.6519  
www.dewberry.com





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 29, 2015

**TO:** Carmen Bishop, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Jay Banks, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Part Property Park West Fairview, PCA 78-P-0130-02

I have reviewed the above referenced PCA, FDPA, CDPA; the Rezoning Application and Statement of Justification stamped "Received, Department of Planning and Zoning, July 13, 2015"; and a CDPA, FDPA plan set stamped "Received, Department of Planning and Zoning, August 24, 2015". The following comment and recommendation are based on this review. A site visit was not conducted.

1. **Comment:** There does not appear to be any proposed impacts to forest or landscape resources with this amendment.

**Recommendation:** UFMD does not have any further comments or recommendations for this application.

JSB/

UFMDID #: 204566

cc: DPZ File

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Department of Public Works and Environmental Services  
Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)





# County of Fairfax, Virginia

## MEMORANDUM

DATE: December 2, 2015

TO: Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

FROM: Michael Davis, Acting Chief  
Site Analysis Section, DPZ 

SUBJECT: PCA 78-P-130-03, FDPA 78-P-130-09, CDPA 78-P-130-03 – COPT Fairview, LLC  
Land Identification Maps: 49-4 ((01)) 72

This department has reviewed the subject Proffered Condition amendment and Conceptual/Final Development Plan amendment submittal dated November 13, 2015. The applicant is proposing to add 7,359 square feet to the maximum permitted GFA in order to indefinitely use the existing marketing center/office building that is proffered to be a temporary structure. This department has no transportation issues with this application.

MAD/BMC

Cc: Carmen Bishop, DPZ

Fairfax County Department of Transportation

4050 Legato Road, Suite 400

Fairfax, VA 22033-2895

Phone: (703) 877-5600 TTY: 711

Fax: (703) 877-5723





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

November 6, 2015

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** PCA 1978-P-130-02 FDPA 1978-P-130-09 & CDPA 1978-P-130-03  
COPT Fairview, LLC  
Tax Map # 49-4((01))0072  
Fairfax County

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on October 7, 2015, and received on October 14, 2015. I have no objection to the approval of this plan.

cc: Ms. Angela Rodeheaver  
fairfaxrezoning1978-P-130-02pca1COPTFairviewLLC11-6-15BB

**PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS****16-101 General Standards**

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

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

**16-102 Design Standards**

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type

of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

## GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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