



APPLICATION ACCEPTED: May 26, 2020
PLANNING COMMISSION: October 6, 2021
BOARD OF SUPERVISORS: October 19, 2021 @ 3:30 PM

County of Fairfax, Virginia

September 23, 2021

STAFF REPORT

RZ/FDP 2020-PR-008
(CONCURRENT WITH RZ 2020 PR-009 AND FDP 2020-PR-009)

PROVIDENCE DISTRICT

APPLICANT: Westpark Corporate Center, L.L.C.

EXISTING ZONING: C-4 (High Intensity Office District)

PROPOSED ZONING: PDC (Planned Development Commercial)

OVERLAYS: SC (Sign Control Overlay District);
HC (Highway Corridor Overlay District)

PARCEL(S): 29-3 ((1)) 66A3 and 66A4

ACREAGE: 4.41 Acres

FAR: 2.49

OPEN SPACE: 30 percent

PLAN MAP: Residential Mixed-Use

PROPOSAL: The Applicant seeks to rezone the subject property to the PDC District to permit an existing office development to remain in conformance with the Zoning Ordinance with the removal of land area associated with concurrent RZ 2020-PR-009.

* This application was accepted for review prior to July 1, 2021, but was reviewed under the newly adopted Zoning Ordinance (zMOD).

Katelyn Quinn



Department of Planning and Development
Zoning Evaluation Division
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STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2020-PR-008, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2020-PR-008, subject to the development conditions contained in Appendix 2.

Staff recommends that the Board of Supervisors approve the following waivers and modifications of the Zoning Ordinance for RZ 2020-PR-008:

- Modification of subsection 5100.2.D.4.c(3) to permit buildings on a corner lot as shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of subsection 5108.8 to permit a deviation from tree conservation requirements, as shown on the CDP.
- Modification of subsection 8100.7.E(2) to permit the streetscape and on-road bike lane system shown on the CDP/FDP in place of any trails and bike trails shown for the subject property on the Comprehensive Plan.
- Waiver of subsection 8100.7.E(3)(a) requiring a service road along Route 7.
- Waiver of subsection 8100.7.E(3)(b) requiring additional inter-parcel access to adjoining parcels beyond that shown on the CDP/FDP and proffers.
- Modification of subsection 8100.7.E(4) to not require further dedication, construction, or widening of existing roads beyond that which is indicated on the CDP/FDP and proffers.
- Modification of Paragraph 6 of the Public Facilities Manual (PFM) Section 12-0310.4 to permit a reduction in the minimum planting area for trees planted to satisfy the tree cover requirements from a width of 8 feet to that demonstrated on the CDP/FDP and as proffered.

It should be noted that it is not the intent of the staff to recommend that the Board of Supervisors, in adopting any proffered conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval 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.

For information, contact the Zoning Evaluation Division, Department of Planning and Development, 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).

Final Development Plan

FDP 2020-PR-008

Applicant: WESTPARK CORPORATE CENTER, L.L.C.
Accepted: 05/26/2020
Proposed: OFFICE
Area: 4.41 AC; DISTRICT - PROVIDENCE
Zoning Dist Sect:
Located: NORTH SIDE OF LEESBURG PIKE AND WEST SIDE WESTPARK DRIVE

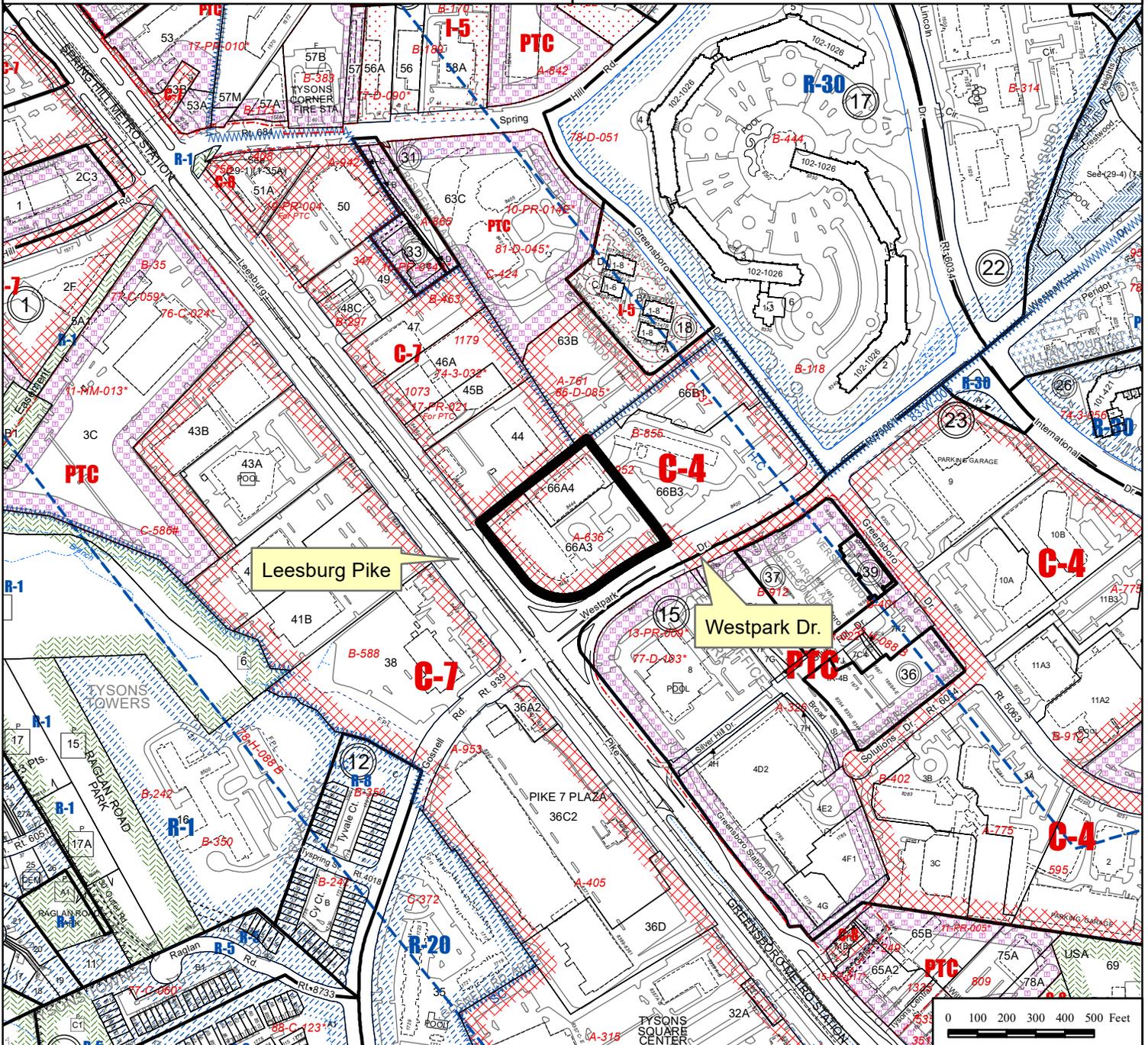
Zoning: PDC
Overlay Dist: SC HC
Map Ref Num: 029-3- /01/ /0066A3 /01/
/0066A4029-3- /01/ /0066A3 /01/ /0066A4

Rezoning Application

RZ 2020-PR-008

Applicant: WESTPARK CORPORATE CENTER, L.L.C.
Accepted: 05/26/2020
Proposed: OFFICE
Area: 4.41 AC; DISTRICT - PROVIDENCE
Zoning Dist Sect:
Located: NORTH SIDE OF LEESBURG PIKE AND WEST SIDE OF WESTPARK DRIVE

Zoning: FROM C- 4 TO PDC
Overlay Dist: SC HC
Map Ref Num: 029-3- /01/ /0066A3 /01/
/0066A4029-3- /01/ /0066A3 /01/ /0066A4



WESTPARK CORPORATE CENTER

RZ/FDP 2020-PR-008 CONCEPTUAL/FINAL DEVELOPMENT PLAN

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

APRIL 2, 2020
NOVEMBER 4, 2020
APRIL 14, 2021
JUNE 28, 2021
AUGUST 12, 2021

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APPLICANT/OWNER
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TYSONS, VIRGINIA 22102

AGENT FOR APPLICANT
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703-442-7800

TAX MAP NUMBERS:
29-3 ((1)) 66A3 AND 66A4



ZONING ORDINANCE MODERNIZATION (ZMOD)

The County's new Zoning Ordinance was adopted by the Board of Supervisors on March 23, 2021, with an effective date of July 1, 2021. This application was accepted for review prior to July 1, 2021, but has been reviewed under both the prior and new Zoning Ordinance and this report uses the new Zoning Ordinance citations.

DESCRIPTION OF THE APPLICATION

The applicant, Westpark Corporate Center, LLC, is requesting a rezoning from the high intensity office (C-4) District to the Planned Development Commercial (PDC) District.

The subject property (referred to herein as Westpark Corporate Center) and a portion of the adjacent TMG 8400 Westpark Drive L.P. property (herein referred to as The Boro extension) were zoned several decades ago (without proffers) to the C-4 District to permit office and associated development. Based on previous subdivision approvals and recorded agreements, the subject property and a portion of the adjacent Boro extension property were considered a single unit for the purpose of intensity compliance with the Zoning Ordinance.

A concurrent rezoning application (RZ 2020-PR-009) has been filed by TMG 8400 Westpark Drive, L.P. (The Meridian Group, herein referred to as Meridian) on the Boro extension property to rezone the Boro extension to the Planned Tysons Corner (PTC) District to facilitate an extension of the original Boro development (RZ 2010-PR-022). The Boro extension is concurrent with this application and is reviewed under separate cover.

The Zoning Ordinance permits a maximum Floor Area Ratio (FAR) of 1.65 within the C-4 District. With removal of the Boro extension land area from the joint agreements, the remaining land area and development on Westpark Corporate Center will exceed the permitted FAR in the C-4 District. A rezoning is necessary for the site to be in conformance with the Zoning Ordinance. The subject property is currently developed with two office buildings and a parking garage, which will remain. No new development is proposed. Proposed modifications are limited to construction of Broad Street along the property's eastern boundary and improvements to the Westpark Drive frontage and onsite private alley.

The applicant requests approval of several modifications and waivers, which are listed on the staff report cover and will be further described in the "*Waivers/Modifications*" portion of this report.

A reduced copy of the Conceptual/Final Development Plan (CDP/FDP) is provided at the front of this staff report. The applicant's draft proffers, staff's proposed development conditions, the applicant's affidavit, and the applicant's statement of justification are provided as Appendices 1-4, respectively.

LOCATION AND CHARACTER

The approximately 4.41-acre site is zoned C-4 and is located in the Highway Corridor (HC) and Sign Control (SC) Overlay Districts. The property is situated at the northwest quadrant of the intersection of Route 7 (Leesburg Pike) and Westpark Drive and is located between 1/4 and 1/2 of a mile from the Spring Hill and Greensboro Metro Stations.



Figure 1: Aerial Imagery of Existing Conditions Source: Eagleview with Staff Annotations.

The site currently is developed with two nine-story office buildings that were constructed in 1999 and 2000 (as shown in *Figure 1* above). The property is bordered by a vehicle sales and service establishment to the north (referred to herein as Maserati), the proposed Boro extension rezoning to the east, Westpark Drive to the south, and Leesburg Pike to the west. The previously approved Westpark Plaza and original Boro developments are located south of the subject property, across Westpark Drive.

A summary of the surrounding land use, zoning, and Comprehensive Plan recommendations is provided in *Table 1* below.

Table 1: Surrounding Area Description			
Direction	Use	Zoning	Plan Map
North	Vacant (The Boro extension); Vehicle Sales and Service Establishment	C-4; C-7	Residential Mixed Use
East	Existing Office (The Boro extension); The Boro (Original) Mixed Use Project	C-4; PTC	Residential Mixed Use; Transit Station Mixed Use;
South	Westpark Plaza Mixed Use Project; Leesburg Pike	PTC	Transit Station Mixed Use
West	Vehicle Sales; Leesburg Pike	C-7	Residential Mixed Use

BACKGROUND

The two existing onsite office buildings were constructed by-right in 1999 and 2000, pursuant to Site Plan #1220-SP-003. Intensity calculations were based upon the total site area of both the subject property and the adjacent Boro extension property. Without incorporation of the Boro extension property, the existing onsite office development would have exceeded the maximum permitted FAR of 1.65 in the C-4 District. The proposed application now seeks to rezone the subject property to the PDC District, which has a higher maximum permitted FAR of 2.5, in order to address the existing FAR and to facilitate redevelopment of the Boro extension property. The existing office development on the subject property yields a 2.49 FAR without consideration the Boro extension property.

Pending Comprehensive Plan Sign

CSP 2020-PR-008 was accepted by the Zoning Evaluation Division of the Department of Planning and Development on May 28, 2020. This pending Comprehensive Sign Plan (CSP) requests a coordinated plan of permanent signage that will better integrate the subject property into the evolving Tysons Urban environment and that will position the property to adapt to future marketplace demands. A public hearing before the Planning Commission currently is scheduled on November 3, 2021, and will be reviewed under separate cover.

COMPREHENSIVE PLAN PROVISIONS

<u>Plan Area:</u>	Area II
<u>Planning District:</u>	Tysons Corner Urban Center
<u>Tysons Corner Urban Center District:</u>	Tysons Central 7 (North Subdistrict)

The land use concept for the Tysons Central 7 District is shown in *Figure 2*, which may also be found in the Comprehensive Plan. The Land Use Map shows that the application property is planned for Residential Mixed Use.

Excerpts of the relevant Comprehensive Plan text are available in Appendix 5 and on pages 144-146 of the Fairfax County Comprehensive Plan, 2017 Edition, Area II, Tysons Urban Center, Tysons Central 7, North Tysons Central 7 Subdistrict-as amended through February 23, 2021.

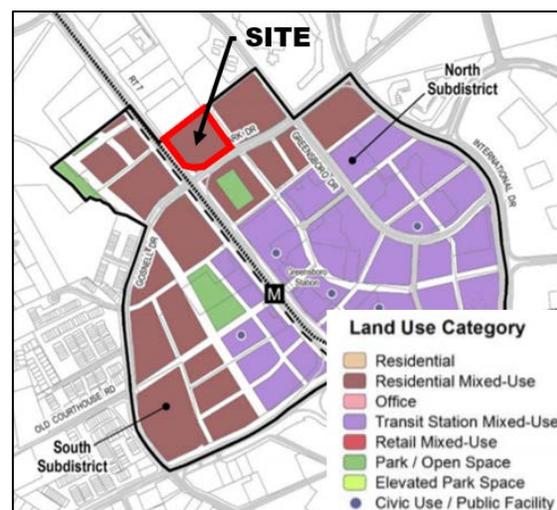


Figure 2: Tysons Central 7 District. Source: Comprehensive Plan with Staff Annotations

The full text can be found here: <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/area2/tysons.pdf>

DESCRIPTION OF THE CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)

Title of CDP/FDP: Westpark Corporate Center
Prepared By: VIKA Virginia, LLC
Original and Revision Dates: April 2, 2020, as revised through August 12, 2021

Site Layout

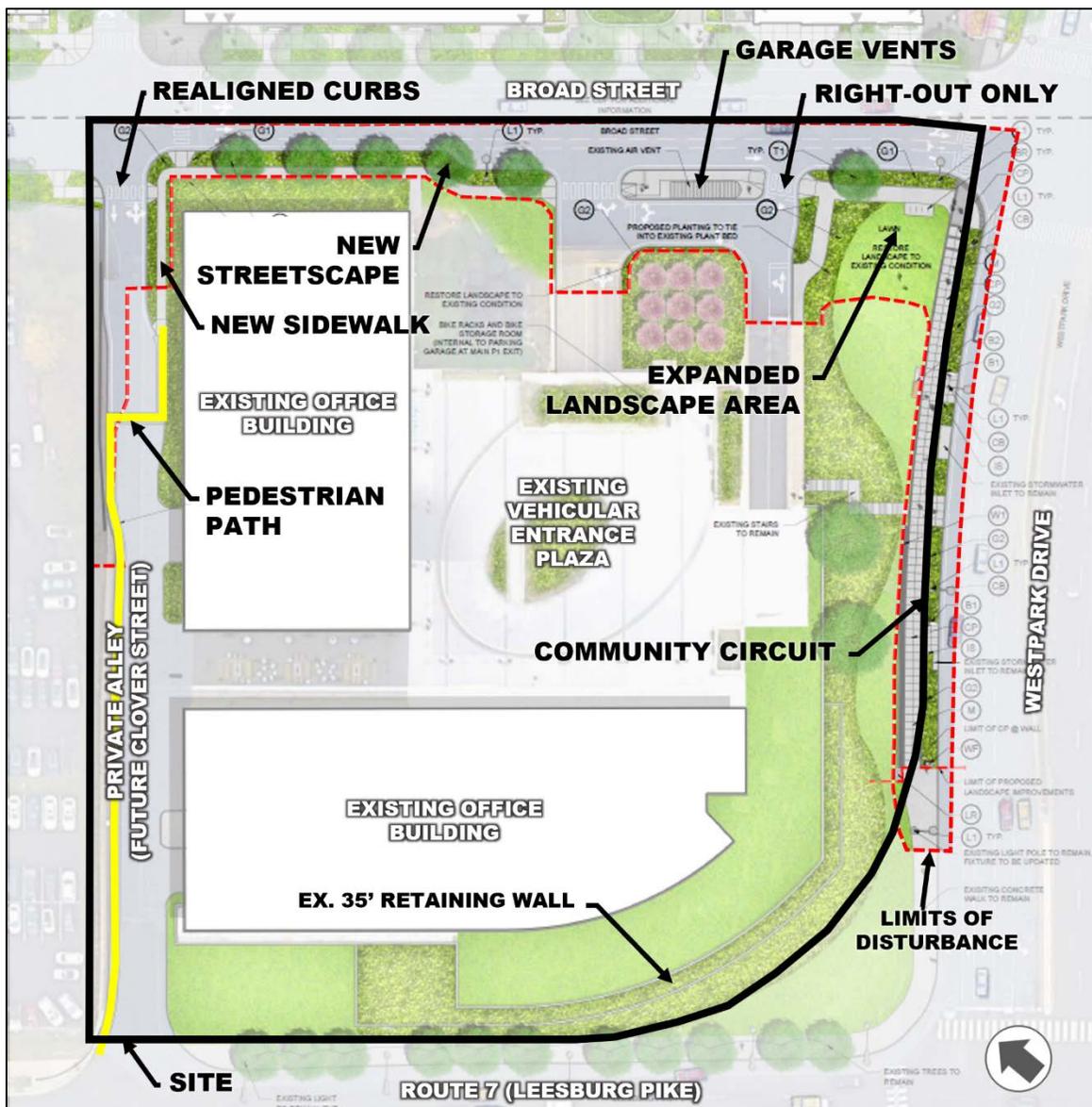


Figure 3: Proposed Site Layout. Source: CDP/FDP (Sheet L-3.1) with Staff Annotations

The property is developed with two office buildings, drive aisles, and manicured lawn. The property is distinguished by a tiered 35 foot tall stone retaining wall, which is visible from the intersection of Leesburg Pike and Westpark Drive and will remain unchanged with this application. The office buildings contain ground floor retail/service uses and share an underground parking structure and vehicular entrance plaza. Gross floor area of the existing buildings totals 512,586 square feet at an overall FAR of 2.49.

The existing development will remain largely undisturbed with modifications limited to construction of Broad Street, the Community Circuit along Westpark Drive (described later in this report), and improvements to an existing private alley. *Figure 3* above shows the proposed modifications in context with the existing development. With exception of a future ultimate streetscape on Clover Street, all modifications will be constructed by Meridian as part of the Boro extension development.

Broad Street

The Comprehensive Plan depicts a public collector street connecting Westpark Drive to Spring Hill Road. Broad Street will be constructed in place of an existing private access located road between the subject property and adjacent Boro extension property. The applicant will dedicate right-of-way for Broad Street. Meridian has proffered to construct Broad Street and the associated streetscape prior to issuance of the first Residential Use Permit (RUP) or Non-Residential Use Permit (non-RUP) for Building J or K (whichever occurs first) of the proposed Boro extension development.

Broad Street will be constructed in its ultimate condition between Westpark Drive and Clover Street as a Collector Street with two eleven foot travel lanes (one in each direction), a six foot bicycle lane and a ten foot parking lane on the east side of the street, a five-to-six foot bike lane on the west side of the street and turn lane(s). The CDP/FDP depicts two interim right-turn lanes at the intersection of Broad Street and Westpark Drive. The applicant has indicated that dual right turn lanes are needed to serve the existing office buildings before a traffic signal is constructed at this intersection. The proffers (Proffer 10C) indicate that one of the right turn lanes will be removed (and the streetscape reconstructed) six months after the traffic signal is warranted.

Streetscape

In conjunction with roadway construction, a new streetscape will be installed along the property's Broad Street frontage. The streetscape will include an eight foot wide landscape amenity panel and a five-to-eight foot wide sidewalk. The sidewalk width will vary because of existing site constraints, such as existing retaining walls, underground garage limits, and garage vents.

Site Access

There will continue to be two entrances into the subject property from Broad Street. The northwestern (plan-view left of *Figure 3* above) entrance will provide access to the existing underground garage and to the vehicular entrance plaza. The southeastern (plan-view right of *Figure 3* above) entrance will be limited to emergency ingress and right-turns out.

Westpark Drive

Meridian will ultimately restripe Westpark Drive between the centerline and subject property to include: two ten foot travel lanes, a six foot bicycle lane, and a thirteen foot bus lane. Prior to initiation of the Tysons-wide Circulator routes, Meridian will provide interim restriping consisting of two eleven foot travel lanes, a six foot bicycle lane, and an eleven foot turn lane onto Route 7. Meridian has proffered to complete improvements to Westpark Drive prior to the issuance of the first RUP or non-RUP for Buildings I or J (whichever occurs first) of the proposed Boro extension development.

Community Circuit

The Conceptual Parks and Open Space Network Map (page 88 of the Tysons Urban Center Plan and shown in *Figure 4* below) depicts a segment of the Tysons-wide recreational trail loop along Westpark Drive. The Comprehensive Plan states that “*the ‘Tysons Community Circuit’ recreational trail loop as proposed along existing and planned roads will be a combined recreational and transportation feature that will add to the diversity of options available for moving through Tysons.*”

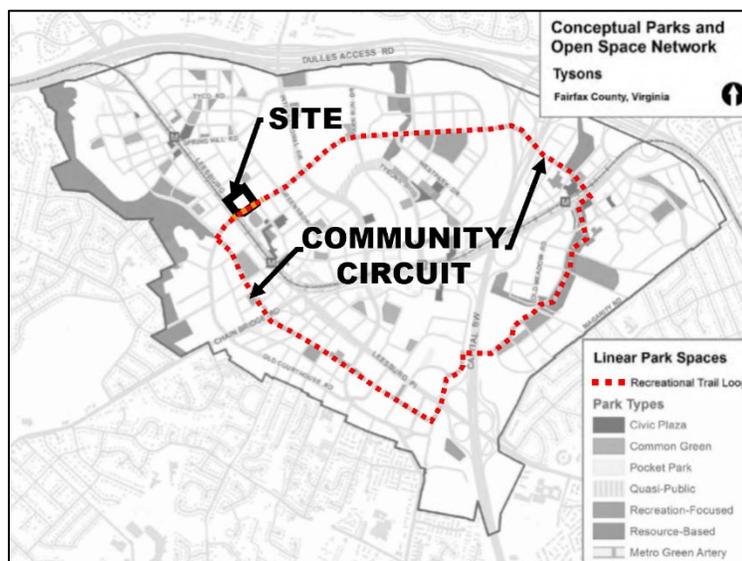


Figure 4: Planned Tysons Community Circuit. Source: Comprehensive Plan with Staff Annotations

Meridian will reconstruct the property’s Westpark Drive streetscape to provide for an eighteen foot wide Tysons Community Circuit, consisting of an eight foot wide

landscape amenity panel and a ten foot wide combined pedestrian/bicycle circuit. Due to extensive existing underground utilities, the landscape amenity panel will be planted with shrubs, perennials, and groundcovers instead of street trees. Three new streetlights will be installed in the landscape amenity panel along the Community Circuit. The Community Circuit will transition to an existing twelve foot wide sidewalk near the intersection of Leesburg Pike and Westpark Drive.



Figure 5: Design and Precedent Imagery of Community Circuit. Source: CDP/FDP (Sheet L-3.2).

Figure 5 above shows the character and intent of the Tysons Community Circuit, which will be designed to accommodate leisure bikers and walkers, and will include: dark gray pavers that will extend to the curb of each intersection; pavement medallions or imprints to enhance circuit branding and wayfinding; pedestrian and/or bicycle amenities such as benches, bike racks, water filling stations, bicycle repair stations, and public art; street lights that will incorporate branding/seasonal banners; and interpretive and/or wayfinding signage located within the landscape amenity panel. Meridian has proffered to contribute \$15.00 to \$30.00 (dependent upon who installs the signage onsite) per linear square foot of Community Circuit to Fairfax County (County) to be used for signage, wayfinding elements, specialized crosswalks, branding, or other elements that support a consistent Tysons-wide design of the Community Circuit as other segments are constructed by others.

Meridian will be responsible for the perpetual maintenance of the Westpark Drive streetscape/Community Circuit. Upon demand from either Meridian or the County, the applicant will dedicate and convey right-of-way and ancillary easements necessary for

construction and maintenance (Proffer 11B). Meridian has proffered to construct the Tysons Community Circuit on the subject property's Westpark Drive frontage prior to issuance of the first RUP or non-RUP for Buildings I or J (whichever occurs first) of the Boro extension development.

Private Alley

The Boro extension development proposes to construct Clover Street, a local street envisioned on the Tysons Grid of Streets map to connect Greensboro Drive to Leesburg Pike. To facilitate vehicular and pedestrian connectivity to Clover Street, Meridian will construct various improvements to the existing private alley located on the subject property.

The private alley will be shifted closer to the adjacent property, Tax Map 29-3 ((01)) 44 (Maserati), so as to better align with Clover Street. A new five foot wide sidewalk will be constructed adjacent on Westpark Corporate Center's side of the alley, at its intersection with Broad Street. Due to site constraints, such as retaining walls (shown in the site photos in *Figures 6 and 7* below), the sidewalk will transition to high-contrast pavement to delineate an interim pedestrian path between Broad Street and Leesburg Pike. A new pedestrian crosswalk will be striped at the alley's intersection with Leesburg Pike, subject to approval from the Virginia Department of Transportation (VDOT). Existing wall mounted lights on the two office buildings will be upgraded to light the pedestrian path. Signage will be added to the alley to help delineate the pedestrian path from Broad Street to Leesburg Pike. While the subject property will maintain the private alley and pedestrian path, Meridian will construct these modifications prior to issuance of the first RUP or non-RUP for Buildings K North, K South or any building on Block L (whichever occurs first) of the Boro extension redevelopment.



Figures 6 (left) and 7 (right): Existing Private Alley, Looking Towards Leesburg Pike. Source: Staff.

Clover Street Extension

If the adjacent Maserati dealership redevelops in conformance with the Comprehensive Plan, the subject property will dedicate right-of-way to facilitate construction of an extension of Clover Street in place of the existing private alley (Proffer 12B). Sheet S-01 of the CDP/FDP depicts potential streetscape improvements on the Westpark Corporate Center side of Clover Street extended, such as: a variable width landscape amenity panel, a six foot wide sidewalk, and a variable width building zone. Existing garage entrances, loading entrances, and pad-mounted transformers are to remain. The Clover

Street extension and landscape amenity panel would not be constructed by the applicant; however, the applicant will construct sidewalk improvements on its side of the future road.

Stormwater Management

Stormwater quality and quantity requirements will continue to be achieved via existing onsite underground sand filters and vaults. New bioretention tree pits will be installed along the property's Broad Street frontage to treat Broad Street and the new onsite streetscape. The site has one outfall that drains to Old Courthouse Spring Branch through a series of underground pipes.

ANALYSIS

Land Use and Urban Design Analysis (Appendix 5)

Land Use

The Comprehensive Plan offers the following land use guidance for existing buildings and services within Tysons:

In most instances, existing development in Tysons is not consistent with the long-term vision, which is the eventual redevelopment of these properties. However, the expansion and remodeling of existing buildings should be permitted as long as these changes do not inhibit the achievement of Plan objectives. Proposals to modify an existing use should be considered if they would result in significant public benefits that outweigh adverse effects and if such proposals do not delay or interfere with the achievement of the long term vision for Tysons. Improvements to open space, streetscapes, and streets that are identified in the Plan are encouraged, but if they are not feasible due to an existing building's location on the site, alternative improvements could be considered which may help implement the Plan's intent.

This application is rezoning to the PDC District in order to enable the existing office use to be in conformance with the Zoning Ordinance with removal of land area for development of the Boro extension. Rezoning proposals in Tysons are expected to rezone to the Planned Tysons Corner Urban (PTC) District; however, this application proposes to maintain an existing office development with ground floor uses without an increase in GFA and with proposed modifications limited to construction of grid streets and streetscapes. For this reason, staff finds that rezoning to the PDC, and not the higher intensity PTC District, is appropriate.

The Comprehensive Plan's Conceptual Land Use Map (shown in *Figure 2* above) designates the property as Residential Mixed-Use, which is primarily planned for 75 percent residential uses with a mix of other uses (such as office, hotel, arts/civic and supporting retail and services). The application proposes up to 100 percent office and up to 25 percent retail/service uses. The draft proffers include a list of permitted

principal and secondary uses (Proffer 5) that will broaden the mix of permitted uses on the site. Some of the proffer uses are considered accessory uses in the C-4 District, which can only be advertised and made available to the users of the existing office building. Rezoning to the PDC District allows these same uses to be advertised and open to the general public. Although the proposed use mix does not meet the Residential Mixed-Use recommendation of 75 percent or more residential, rezoning to the PDC District allows the existing development to have meaningful ground floor uses, which furthers the Comprehensive Plan's long range objectives of transforming Tysons into a vibrant, mixed-use urban center. Furthermore, the land use mix proposed with this application will not have detrimental impacts on the overall land use mix of the Tysons Central 7 North Subdistrict, which will remain predominately unaffected by the existing office use. Staff finds that the existing use mix is consistent with the Comprehensive Plan land use mix recommendations.

The Comprehensive Plan recommends parcel consolidation of least 20-acres. The subject property is approximately 4.41-acres, but is not proposing redevelopment or any new development, therefore parcel consolidation recommendations are not applicable.

The site is neighbored by the pending Boro extension development. The applicant has coordinated with Meridian to facilitate: the construction of Broad Street; improved onsite streetscapes; the Community Circuit; pedestrian access between the subject property and the Boro extension development; and design elements that will make this site and the Boro extension look like a seamless development. Staff finds that the subject application will further the long-term vision for Tysons, will provide modifications that are to the public's benefit, and has been coordinated with adjacent properties. Staff has no outstanding land use concerns.

Urban Design

Street Grid, Block Size and Design

The applicant has committed to provide the right-of-way necessary for construction of the applicant's half-section of Broad Street, from Westpark Drive to Clover Street. The Comprehensive Plan identifies Broad Street as a critical link needed to serve all of Tysons Central 7 and Tysons West Districts. Broad Street will help facilitate vehicular movement through and around the site, as well as provide new pedestrian routes to and from the nearby Metro Stations. The proffers commit to dedication of rights-of-way on demand to the County and Meridian, which will enable construction of the roads in the event the Boro extension development is delayed.

With the surrounding street connections and new street proposed, one block, separated by grid streets, is created. This block contains two buildings. The block meets the recommendations of the Comprehensive Plan and the Tysons Urban Design Guidelines that blocks be generally 400-600 feet in length. The new grid street, Broad Street, improves the walkability to and from this site to the nearby Metrorail stations and

creates an urban scale block. Staff finds that the proposed street grid is in conformance with the Comprehensive Plan.

Streetscape Design

The Tysons Community Circuit has been incorporated into the subject property's Westpark Drive streetscape. The Comprehensive Plan envisions the Community Circuit as a Tysons-wide recreational trail loop that will add to the diversity of recreational and transportation options available through Tysons.

Staff analysis of the urban design and character of the Community Circuit, interim pedestrian path along the existing alley, and the future Clover Street extension are integrated into the "*Park Authority Analysis*" and "*Transportation Analysis*" portions of this report. As later described, staff finds the proposed streetscape design is in conformance with the Comprehensive Plan.

Other design concerns, such as conflicts between the CDP/FDP and proffers, have been resolved. Staff has no outstanding urban design concerns.

Park Authority Analysis (Appendix 6)

It is recognized that the proposed development, along with the Boro extension, is the first final development plan in Tysons to include the Community Circuit. Staff has partnered with the Tysons Partnership and other stakeholders to come up with a single, cohesive design for the entire Community Circuit. Discussions between this task force are still ongoing. The applicant has proffered (Proffer 11B) to certain elements of the Community Circuit that have been worked out with the task force, such as paver color and wayfinding. Final design and refinement of the Community Circuit will be completed at site plan as discussions with the task force progress

The applicant has identified existing utilities within the landscape amenity panel along Westpark Drive that prevent the installation of street trees. Given that the Community Circuit is being implemented as a retrofit to an existing development that proposes only minor site enhancements, staff finds this condition acceptable. A key element of the Community Circuit is street and pedestrian lighting to create a safe, walkable urban environment. The proffers (Proffer 11B) have committed to provide warning strips at the approach of each intersection to alert trail users to street crossing. The applicant has also committed to upgrade existing light fixtures on Westpark Drive. Staff appreciates the positive impact this addition has on the development proposal, including streetscape design, character, and safety.

Staff finds that the proposed application will help to advance the Comprehensive Plan's goals for improved bicycle and pedestrian connectivity in Tysons and will implement a segment of the planned Tysons Community Circuit recreational trail loop. Staff has no outstanding park concerns.

Transportation Analysis (Appendix 7)

Broad Street

Broad Street is proposed as a generally north-south route that (with this application) will extend from Westpark Drive to the private alley. As shown in the Comprehensive Plan, Broad Street is envisioned to eventually form a continuous route parallel with Leesburg Pike and Greensboro Drive, extending from the area north of Tyco Road to Tysons Boulevard (and on through the eastern part of Tysons as the current Galleria Drive).

The applicant will dedicate right-of-way on demand (Proffer 10A) so that Meridian can construct Broad Street on the subject property. Staff notes that this right-of-way dedication from an otherwise existing, to remain development, is of significant public benefit. This segment of Broad Street is crucial in tying all of Tysons together and providing the “grid” in the “Grid of Streets.” Without this Broad Street connection, north-south traffic will continue to be limited to either Leesburg Pike or Greensboro Drive. Proffering to provide right-of-way on demand allows the County to implement Broad Street on its own in the event that the Boro extension development is delayed or undeveloped. The significance of this cannot be overstated by staff. The applicant has gone above and beyond to coordinate the existing development with the Boro extension and to facilitate the street grid.

Private Alley

Initial iterations of the CDP/FDP depicted an eleven foot offset between the centerlines of Clover Street and the existing private alley. The applicant and Meridian have worked with staff to reduce the offset from eleven feet to four feet by shifting the private alley north and relocating an existing fire hydrant. The four foot offset is an interim condition that would be removed with the extension of Clover Street by others.

The private alley currently is characterized by multiple pad-mounted transformers, loading/garage entrances, retaining walls, guard rails, and a lack of sidewalks. Staff had concerns that pedestrians would utilize this alley as a shortcut between Leesburg Pike and the adjacent Boro extension development. Meridian has proffered to install a partial sidewalk on the Westpark Corporate Center side of the alley, which will transition to a striped pedestrian zone on the existing pavement. The proffers (Proffer 12Ai) commit to a high-contrast pavement treatment and signage to distinguish the pedestrian path from the alley. It is acknowledged that the alley is heavily constrained and that the CDP/FDP is limited in scope. Staff finds that the striped pedestrian path is a creative way of solving an existing conditions situation that fulfills the intent of providing safe separation between pedestrians and motorists until such time as Clover Street is extended.

Clover Street Extension

Clover Street is envisioned to connect Greensboro Drive and Leesburg Pike. Meridian will be constructing Clover Street between Greensboro Drive and Broad Street with the

Boro extension development. Staff asked the applicant to demonstrate how Clover Street could be extended through the subject property to Leesburg Pike. Sheet S-01 of the CDP/FDP shows the potential future Clover Street extension.

The applicant has proffered (Proffer 12B) to dedicate right-of-way to facilitate the ultimate configuration of this roadway and to build a six foot wide sidewalk of their side of the street. The proffers indicate that the applicant will not be responsible for the cost of constructing the Clover Street extension or for construction of the landscape amenity panel and street trees on the Westpark Corporate Center side of the extended roadway. Staff is satisfied with the provision of future right-of-way in lieu of construction of the ultimate roadway and street trees given that a majority of the right-of-way needed for the Clover Street extension is located on the subject property and there is no proposed increase in GFA. Street trees will be negotiated as part of future redevelopment proposals.

Transportation Waivers

On September 13, 2011, the Board of Supervisors adopted the Transportation Design Standards for Tysons Urban Center (TDS), which contained urban design street standards that are to be utilized in the Tysons Urban Center. The applicant has requested a waiver of a parking lane along future Clover Street and a streetscape waiver along Leesburg Pike, which are features outlined in the TDS. These waiver requests are administrative, and have been reviewed and approved by Fairfax County Department of Transportation (FCDOT) staff.

Staff approved the waiver requests as the proposed rezoning will facilitate construction of new streets with minimal changes to the existing site design. A waiver of the parking lane along the Clover Street extension will enable future redevelopments to provide a larger landscape amenity panel and street trees along Westpark Corporate Center. The parking lane would also be duplicative since numerous garage and loading entrances line the subject property's side of the Clover Street extension. Staff supported the streetscape waiver request along Leesburg Pike because VDOT recently installed new street trees and constructed a sidewalk along the property's frontage, and no new GFA is proposed with this application.

Other waivers approved by staff include: the Westpark Drive frontage which cannot accommodate street trees because of underground utilities; portions of Broad Street which cannot provide the full landscape amenity panel or eight foot wide sidewalks due to underground garage limits and retaining walls; and the private alley where a complete sidewalk cannot be provided due to topographic and existing site constraints.

Access Management Exception

The subject property has two separate driveways located off of Broad Street. The southeastern entrance will be right-out and emergency access only. The northwestern entrance is located approximately 100 feet away from the Building J garage entrance

proposed as part of the Boro extension development. A minimum separation of 150 feet is required between the subject property's site entrance and Building J's entrance. VDOT has reviewed and approved an Access Management Exception (AME) to permit the northwestern entrance to be located 100 feet away from Building J's garage entrance. The AME was approved because the northwestern entrance is currently existing onsite and because staff finds it is undesirable to relocate Building J's entrance to Westpark Drive (heavily trafficked) or Boro Place (the Boro extension's main pedestrian corridor).

Staff has no outstanding transportation concerns.

Environmental Analysis (Appendices 8 and 9)

Stormwater

The subject property will continue to meet stormwater standards with the proposed application. The applicant is proposing to slightly reduce the amount of overall impervious surfaces on the subject property and has indicated that water quantity and quality will continue to be treated through existing onsite underground vaults and sand filters. Meridian will also construct new bioretention tree pits on the subject property to treat stormwater run-off from Broad Street and the new streetscape on Westpark Corporate Center.

Sand Filters

Staff was concerned that an existing sand filter currently is treating both the subject property and an offsite area of the Boro extension development, but the grading plan on the CDP/FDP does not show offsite runoff routed to the sand filter. Staff was concerned that an equivalent amount of offsite area from the Boro extension development was not being diverted to the existing facility, which could impact the sand filter's ability to maintain the same level of water quality treatment on Westpark Corporate Center. A note has been added to Sheet C-15 of the CDP/FDP stating that an equivalent amount of offsite area from the Boro extension development will be directed to the sand filter with the final engineered design plans. Meridian has reinforced this note by proffering (Proffer 69G of RZ 2020-PR-009) that the Boro extension development will provide an equivalent drainage area at time of site plan for Westpark Corporate Center. This concern has been adequately addressed pending further analysis at site plan.

Tysons 1-inch Guidelines

The Tysons Comprehensive Plan provides specific guidance for managing runoff for new and redevelopment with the Tysons Urban Center by meeting the Public Facilities Manual (PFM) standards, the most current LEED stormwater related credit, and retaining the first inch of rainfall onsite. Most new development in Tysons implements the Comprehensive Plan by pursuing a rezoning to the PTC District. Staff recommended that the applicant retain the first inch of rainfall onsite to the maximum

extent practicable. The applicant has not provided calculations that demonstrate how much retention is achieved by the existing facilities and proposed bioretention tree pits; however, staff acknowledges that the site is not being rezoned to the PTC District, is an existing office development with modifications limited to that which would be of public benefit (construction of Broad Street and the Tysons Community Circuit), and is otherwise meeting stormwater quantity and quality requirements.

The applicant has resolved other stormwater management concerns, such as calculation and design clarifications. Staff has no outstanding stormwater or environmental concerns.

Urban Forest Management Analysis (Appendix 10)

The existing development is landscaped with deciduous, evergreen and ornamental flowering trees with significant areas of turf grass. Approximately 9,000 square feet of tree canopy exists onsite. Existing trees lining future Broad Street would be removed and replaced with implementation of the proposed modifications.

Meridian will be planting new street trees along the subject property's Broad Street frontage. Meridian will also be constructing a segment of the Tysons Community Circuit along the subject property's Westpark Drive frontage. No street trees are proposed along this segment of the Community Circuit due to existing underground utility restraints. The landscape amenity panel along Westpark Drive will be planted with shrubs, groundcovers and perennials.

While tree preservation targets will be met, the subject property will not meet minimum 10-year tree canopy coverage requirements. A deviation from tree canopy requirements must be requested at time of site plan. The applicant has stated that the 10-year tree canopy target cannot be met because numerous underground utilities, underground stormwater vaults, and the underground garage limit available planting areas. Proposed modifications to this existing development are limited to implementation of Comprehensive Plan features, such as a functional grid of streets and the Tysons Community Circuit. For this reason, and given that this is an existing development to remain with no new GFA proposed, staff is supportive of a deviation of tree canopy requirements pending further site plan analysis.

Fairfax Water (Appendix 11)

The subject property is adequately served by a 12-inch water main in Westpark Drive and Greensboro Drive and is an existing use with no proposed increase in gross floor area.

Sanitary Sewer Analysis (Appendix 12)

Meridian has conducted a preliminary sewer capacity analysis for Westpark Corporate Center as part of a larger sanitary sewer study for the Boro extension development.

Based on capacity analysis, existing sanitary sewers have the capacity to serve the two existing buildings. Additional analysis will be completed with future site plans, if needed.

ZONING ORDINANCE PROVISIONS

The proposed application seeks to rezone the subject property from the C-4 District to the PDC District. The PDC district regulations are contained in subsection 2105.4 of the Zoning Ordinance (Ordinance). Additionally, subsection 2105.1 of the Ordinance contains six general standards and three design standards that must be satisfied by a planned development. Finally, the proposed application is also subject to the Sign Control and Highway Corridor Overlay District regulations contained in subsections 3103.3 and 4.

PDC District Regulations (Subsection 2105.4)

The PDC District encourages the innovative and creative design of commercial development. The district regulations are intended to: ensure high standards in the mix of uses, layout, design and construction of commercial developments; include unique design elements and amenities; encourage lot consolidation and the use of Transportation Demand Management techniques; and otherwise implement the stated purpose and intent of the Ordinance. *Table 3* below compares the development to the requirements of the PDC District.

Table 3: Bulk Standards and Requirements (PDC)		
Standard	Required	Provided
District Size	100,000 square feet of gross floor area	512,586 square feet of gross floor area
Secondary Uses	25% max. of total gross floor area	Proposed: 2% Max. Per Proffers: 25%
Building Height	130-175 feet max. ¹	120 feet
Floor Area Ratio (FAR)	2.5 FAR	2.49 FAR
Open Space	15%	30%
Parking	1,424 spaces ^{2 3}	1,506 spaces ^{2 3}

¹ Maximum building height within the PDC District is controlled by the general and design standards for all planned developments, which are reviewed below. The Conceptual Building Heights map (Map 11 on page 126 of the Comprehensive Plan) depicts maximum building heights between 130 to 175 feet on the subject property.

² Required parking is based on the ratios included in Article 6 of the Ordinance. The applicant has not opted into PTC District parking rates as part of the subject application, but reserves the right to do so in the future, as proffered.

³ Subsection 2105.4.C.2 states that a substantial portion of the required parking is intended to be provided in above or below grade parking structures. The provided parking spaces are located in an underground parking structure shared by the two existing office buildings.

The proffers have listed several principal and secondary uses that are to be permitted with the proposed rezoning. All of the uses listed in the proffers are permitted within the PDC District and are subject to the use limitations in Article 4 of the Zoning Ordinance. The Statement of Justification includes statements on how the proffered uses will be in conformance with Article 4, which staff concurs with.

General Standards (Subsection 2105.1.C)

General Standard 1 requires *the planned development to substantially conform to the Comprehensive Plan with respect to type, character, intensity of use, and public facilities. Planned developments may not exceed the density or intensity permitted by the Comprehensive Plan, including any permitted density or intensity bonus provisions.*

As previously discussed in the “*Land Use Analysis*” portion of this report, staff finds that the proposed applications are in conformance with the Comprehensive Plan’s guidelines. Rezoning from the C-4 District to the PDC District will enable the subject property to be in conformance with FAR limitations in the Zoning Ordinance and would not increase the amount of gross floor area currently developed on the site. Rezoning to the PDC District allows a broader range of uses that will contribute to the long-term transformation of Tysons by providing a more vibrant, varied mix of uses and will activate the existing development. There are no proposed changes to the type or character of the development, as site modifications are limited.

General Standard 2 requires *the planned development to be designed to achieve the stated purpose of the planned development district more than would development under a conventional zoning district.*

The proposed rezoning will enable an adjacent property to redevelop into a mixed-use center. Broad Street, a significant street on the Tysons Grid of Streets map, will be constructed along the property’s eastern frontage. The Tysons Community Circuit will be constructed along the property’s Westpark Drive frontage. The applicant has provided temporary pedestrian facilities along the existing onsite private alley to facilitate pedestrian connectivity between adjacent developments and Leesburg Pike. The applicant also has committed to an ultimate streetscape if the abutting Maserati redevelops and constructs an extension of Clover Street. Staff opines that this proposal furthers the intent and goals of the Comprehensive Plan more than the existing development would.

General Standard 3 requires that *the planned development must, to the extent possible, protect, preserve, and restore natural ecosystem components, including trees, meadows, streams, topographic features, and healthy soils, and heritage resources.*

The subject property currently is developed with two office buildings, an underground parking structure, and affiliated vehicular travel aisles. There are no environmentally sensitive areas located onsite. The amount of open space will not be reduced with this

application. Rather, the amount of impervious area will be decreased with the proposed modifications. New landscaping would be provided as part of the Tysons Community Circuit and Broad Street streetscape. Staff finds that this standard has been met.

General Standard 4 requires *the planned development to be designed to prevent adverse impact to the use and value of existing surrounding development and may not deter or impede development of surrounding undeveloped properties in accordance with the Comprehensive Plan.*

As previously discussed, the subject application will facilitate the adjacent Boro extension redevelopment. New grid of street connections, the Tysons Community Circuit, and additional pedestrian paths will be provided. Staff opines that the subject application furthers the goals of the Comprehensive Plan and will not adversely impact other developments.

General Standard 5 requires *the planned development to be located in an area in which existing or planned transportation, police and fire protection, other public facilities, and public utilities will be available and adequate for the uses proposed. The applicant may provide for those facilities or utilities which are not presently available.*

The subject property currently is located in an area where public facilities and public utilities are adequate for the existing development.

General Standard 6 requires *the planned development to 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.*

As previously discussed in the “*Transportation Analysis*” of this report, the applicant has provided an interim pedestrian path along the existing private alley. Staff had requested this striping to provide a designated area for pedestrians that will likely want to cross the subject property to traverse between the Boro extension development and Leesburg Pike. Proffer commitments include right-of-way dedication and easements for construction of Broad Street and the Tysons Community Circuit. The applicant will also provide a sidewalk and space for a landscape amenity panel on the property’s side of the potential future Clover Street extension. Staff finds that this standard has been met with acceptance of the draft proffers.

Design Standards (Subsection 2105.1.D)

Design Standard 1 states that *other than those regulations specifically listed for a particular planned district, the open space, off-street parking, loading, sign, and all other similar regulations in this Ordinance will generally apply to all planned developments.*

The subject property will provide 30 percent open space, which exceeds the 15 percent minimum required in the PDC District. Parking and loading generally will remain unchanged with the subject application and will be provided in accordance with Article 6

of the Ordinance. The applicant has not committed to reduce onsite parking in compliance with the PTC parking rates, but reserves the right to do so in the future, as proffered. Parking is contained to an existing underground parking garage shared by both office buildings. While the applicant currently is not reducing parking rates, no new parking is proposed with this application and parking will continue to be confined to the existing garage. A Comprehensive Sign Plan has been filed on the subject property and will be reviewed under separate cover.

Design Standard 2 states that *streets and driveways must generally conform to the provisions in this Ordinance and all other applicable County ordinances and regulations. Where applicable, street systems must afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks must be coordinated access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.*

Meridian has proffered to construct Broad Street, the Community Circuit, and to install an interim pedestrian path along the onsite private alley. Staff has approved waivers of the TDS, as previously discussed in the “*Transportation Analysis*” section of this report. Staff finds that this design standard has been met.

Design Standard 3 states that *In order to complement and prevent adverse impacts to development on adjacent properties, the bulk regulations of the proposed planned development must generally conform to those of the conventional zoning district that is most similar to the proposed P District development at the following boundaries:*

(b) In the PDC, PRM, or PCC Districts when located within a CRD or in an area designated as a Community Business Center, Commercial Revitalization Area, or Transit Station Area in the Comprehensive Plan, only at the periphery of the CRD or other designated area

The existing office development is located within the Tysons Urban Center, which is a planned Transit Station Area; therefore, the conditions of this design standard are not applicable. The subject property is not located at the peripheral boundary of Tysons.

Sign Control Overlay District (Subsection 3103.3)

The Sign Control Overlay District restricts freestanding signs in the intensely developed commercial and industrial areas of the County where there is an increased need to reduce visual clutter, sight distance obstructions and interference with traffic control signals and mechanisms. No signage is proposed as part of this rezoning application. A CSP (CSP 2020-PR-008) has been filed on the subject property and currently is scheduled for public hearing on November 3, 2021. Signage on this site will either meet Ordinance requirements or be subject to the future Comprehensive Sign Plan. As such, this application meets the requirements of the Sign Control Overlay District.

Highway Corridor Overlay District (Subsection 3103.4)

The Highway Corridor Overlay District limits certain automobile-oriented, fast service, or quick turn-over uses around certain high traffic areas, in this case, along Leesburg Pike. The proffers propose convenience stores as a permitted secondary use. Per the statement of justification, “*while this use may be permitted as ground floor use, it will be as a small component included in a larger building. As such, the vehicular impacts associated with free-standing auto-oriented uses are not expected.*” The convenience store use limitations contained in subsection 4102.5.CC prohibit access to the use from impeding traffic on adjacent streets and requires outdoor storage or display to be shown on a special exception plat. Ground floor uses on the site are accessed from a shared, internal vehicular entrance plaza. The potential convenience store use is not anticipated to have impacts on adjacent roadways. No outdoor display or storage is proposed with this application. Staff finds that the development is in conformance with the Highway Corridor Overlay District regulations.

Waivers/Modifications

The Applicant has requested the following waivers/modifications of the Ordinance as part of this application:

Modification of Corner Lot Requirements

The applicant is requesting a modification of subsection 5100.2.D.4.c.3, which prohibits structures and vegetation within the sight distance triangle formed by the intersecting street lines of a corner lot. Sight vision triangles have been provided on Sheet C-09 of the CDP/FDP and depict encroachment of the existing building at the intersection of the private alley and Broad Street.

Subsection 5100.2.D.4.c.4 permits the Board of Supervisors to modify sight distance requirements on a corner lot in conjunction with the approval of a rezoning application, based on an evaluation of the specific development proposal, VDOT sight distance requirements, and demonstration of safe and adequate vehicular, bicycle, or pedestrian movements at an intersection.

The applicant has provided lines of sight distance on Sheet C-10 of the CDP/FDP that demonstrate vehicles will have unobstructed views at the corner of the private alley and Broad Street. Staff notes that the existing building is to remain in its current location and that construction of Broad Street and its associated streetscape are in general conformance with the Comprehensive Plan. Staff opines that it would be unreasonable to relocate the existing building. Staff does not anticipate that the building encroachment will be unsafe for vehicles, bicycles, or pedestrians. Staff supports the proposed modification.

Tree Conservation

The applicant is requesting a modification of subsection 5108.8 to permit a deviation from tree conservation requirements, as shown on the CDP. The applicant has stated: *“There are two tree conservation elements included: 1) tree preservation which we meet/exceed; and 2) the 10 year tree canopy which we do not meet. We cannot add enough trees to meet the 10 year target because of so many underground utilities, [stormwater] vaults and garage that limit the planting area. We have added trees along the Broad Street streetscape.”* Staff concurs with the applicant’s statements given that this is an existing development to remain with no new GFA proposed and supports the modification request. Additional analysis and review will be completed at site plan.

Modification of Streetscape and Bike Lanes/Trails

The applicant is requesting a modification of subsection 8100.7.E(2), which requires construction of trails and walkways in accordance with the Comprehensive Plan. As described in the *“Transportation Analysis”* of this report, FCDOT has approved exceptions of the parking lane and streetscape requirements outlined in the TDS. This modification request will permit construction of new planned grid street connections, as recommended by the Comprehensive Plan, while allowing the existing office buildings and underground garage to remain in their current locations. Staff recommends approval of the modification request.

Waiver of a Service Drive and Additional Inter-parcel Access to Adjoining Properties

The applicant is requesting a waiver of subsection 8100.7.E(3)(a), which requires that a service drive be provided parallel to any primary highway, such as Leesburg Pike. The intent of this provision is to permit vehicular travel on the site to and from adjacent properties. The proposed development is existing and will remain with minimal land disturbance. Staff recommends approval of the waiver of a new service drive along Leesburg Pike, given the limited scope of this application.

The applicant is also requesting a waiver of subsection 8100.7.E(3)(b), which requires construction of new inter-parcel access to adjoining properties. The draft proffers state that future right-of-way will be dedicated to facilitate an extension of Clover Street if the adjacent property redevelops. Additionally, the applicant will dedicate right-of-way so Meridian can construct Broad Street and the Community Circuit along two of the property’s frontages. Despite minimal modifications to the existing development, the applicant is facilitating implementation of the Comprehensive Plan’s planned grid of streets and recreational trail loop. Staff recommends approval of this waiver.

Modification of Additional Rights-of-Way, Construction or Widening of Existing Roads

The applicant is requesting a modification of subsection 8100.7.E(4), which requires dedication and construction of: widening of existing roads, existing roads on new alignments, and proposed roads. As previously described, the proffers indicate that

right-of-way will be dedicated for Broad Street, the Community Circuit, and the future extension of Clover Street. Staff supports this modification request.

Minimum Planting Areas:

The Applicant requests a modification of Paragraph 6 of PFM Section 12-0310.4 to permit a reduction in the minimum planting area for trees planted along Broad Street to satisfy the tree cover requirements from a width of 8 feet to that demonstrated on the CDP/FDP and as proffered.

New street trees are proposed along Broad Street. The landscape amenity panel on Broad Street narrows to less than eight feet next to the right-out entrance. The applicant has worked with staff to refine the soil specifications and details included in the CDP/FDP. Additional review of soil and planting specifications will be completed at site plan.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The requested rezoning is necessary in order for the subject property to be in conformance with FAR limitations of the Zoning Ordinance. Removal of the property from the Boro extension development will enable the Boro to redevelop into a new mixed-use development. The existing office development will remain largely undisturbed with no new GFA proposed. The proposed application will facilitate the construction of new grid streets and the Tysons Community Circuit with streetscape improvements that support and complement the existing and proposed Boro development. Rezoning also will permit the existing development to incorporate a broader mix of uses that will help transform Tysons into a vibrant mixed-use urban center. In staff's opinion, the proposed rezoning is in conformance with the Comprehensive Plan and meets the general and design standards for a Planned District and all applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of RZ 2020-PR-008, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2020-PR-008, subject to the development conditions contained in Appendix 2.

Staff recommends that the Board of Supervisors approve the following waivers and modifications of the Zoning Ordinance for RZ 2020-PR-008:

- Modification of subsection 5100.2.D.4.c(3) to permit buildings on a corner lot as shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).

- Modification of subsection 5108.8 to permit a deviation from tree conservation requirements, as shown on the CDP.
- Modification of subsection 8100.7.E(2) to permit the streetscape and on-road bike lane system shown on the CDP/FDP in place of any trails and bike trails shown for the subject property on the Comprehensive Plan.
- Waiver of subsection 8100.7.E(3)(a) requiring a service road along Route 7.
- Waiver of subsection 8100.7.E(3)(b) requiring additional inter-parcel access to adjoining parcels beyond that shown on the CDP/FDP and proffers.
- Modification of subsection 8100.7.E(4) to not require further dedication, construction, or widening of existing roads beyond that which is indicated on the CDP/FDP and proffers.
- Modification of Paragraph 6 of the Public Facilities Manual (PFM) Section 12-0310.4 to permit a reduction in the minimum planting area for trees planted to satisfy the tree cover requirements from a width of 8 feet to that demonstrated on the CDP/FDP and as proffered.

It should be noted that it is not the intent of the staff to recommend that the Board of Supervisors, in adopting any proffered conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval 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 Proffer Statement
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Land Use and Urban Design Analysis
6. Park Authority Analysis
7. Fairfax County Transportation Analysis
8. Environmental Analysis
9. Stormwater Analysis
10. Urban Forest Management Analysis
11. Water Service Analysis
12. Sanitary Sewer Analysis
13. Zoning Ordinance Provisions
14. Glossary of Terms

PROFFERS
Westpark Corporate Center
RZ 2020-PR-008

September 16, 2021

Pursuant to Section 15.2-2303(A) of the Code of Virginia (1950, as amended) and subsection 8100.2.D of the Zoning Ordinance of Fairfax County (2021, as amended) (the "Ordinance"), the property owner/applicant, for itself and its successors and/or assigns (hereinafter referred to as the "Applicant"), hereby proffers that the development of the parcels under consideration with RZ 2020-PR-008 and shown on the Fairfax County 2021 Tax Map as 29-3 ((1)) 66A3 and 66A4 (collectively referred to as the "Property") will be in accordance with the following conditions if, and only if, rezoning application RZ 2020-PR-008 (the "Rezoning") is granted. These Proffers will supersede and replace all previously approved proffers and conditions that may be applicable to the Property.

1. Conceptual Development Plan. The Property will be developed in substantial conformance with the Westpark Corporate Center Conceptual/Final Development Plan ("CDP/FDP") dated August 12, 2021, prepared by VIKA Virginia, LLC, and as may be further modified by these Proffers.
2. Proffered CDP Elements. It will be understood that the proffered elements of the CDP are limited to the general location of the points of access, general location of the buildings, build-to-lines, general mix of uses, maximum gross floor area ("GFA") and maximum building heights, the general quality and character of the streetscape, and the amount and general location and quality of open space (the "Proffered Elements"). Other elements of the CDP may be adjusted or modified with approval of future Final Development Plan Amendments ("FDPAs") in accordance with the provisions set forth in subsection 8100.2.E(2) of the Ordinance.
3. Minor Modifications. Minor modifications to the Proffered Elements of the CDP may be permitted as determined by the Zoning Administrator. The layout shown on the CDP may be modified without requiring approval of a Conceptual Development Plan Amendment ("CDPA") provided such changes are in substantial conformance with the CDP as determined by the Zoning Administrator.
4. Proposed Development. The maximum gross floor area ("GFA") permitted on the Property is 512,586 square feet as shown in the zoning tabulations on Sheet C-03 of the CDP/FDP (the "Zoning Tabulations").
5. Uses. The Proposed Development may include the following principal and secondary uses, subject to the Use Standards prescribed in Article 4 of the Ordinance.
 - A. Principal Uses. Principal uses permitted include: banquet or reception hall, business service; catering; college or university; convention or conference center; data center; financial institutions; household repair and rental service; massage therapy establishment; office; personal service; pet grooming facility; public use;

restaurants; retail sales, general; and any similar uses that may be added to permitted principal uses in the PDC District with a future amendment to the Ordinance. Additional principal uses may be permitted with a minor variation.

- B. Secondary Uses. Secondary uses permitted include: accessory uses; adult day support center; child care center (provided adequate usable outdoor recreation area can be demonstrated to the satisfaction of the Zoning Administrator); club, service organization or community center; cultural facility or museum; religious assembly; school, private (provided adequate usable outdoor recreation area can be demonstrated to the satisfaction of the Zoning Administrator); specialized instruction center; veterinary hospital; restaurants, carryout; commercial recreation, indoor; entertainment, public; health and exercise facility, large; health and exercise facility, small; smoking lounge; convenience store; craft beverage production establishment; commercial off-street parking; new vehicle storage, vehicle transportation service; goods distribution hub; small scale production establishment; temporary uses, and any similar uses that may be added to permitted secondary uses in the PDC District with a future amendment to the Ordinance. Additional secondary uses may be permitted with a minor variation.
 - C. Uses allowed by special exception (“SE”) or special permit (“SP”) in the PDC District may be authorized through a separate FDPA, special exception or special permit process without the need for a proffered condition amendment (“PCA”) or CDPA.
 - D. Nothing in these proffers will preclude the Applicant from the continued operation and occupation of the buildings with the existing uses, or the issuance of new Non-Residential Use Permits.
6. Fire Marshal Evaluation. Changes from the CDP/FDP will be permitted in response to the review of site plans by the Fire Marshal, including adjustments to tree locations, lane use/pavement markings, signage, crosswalks, the streetscape and perimeter building areas as necessary to allow for required emergency vehicle access, without requiring approval of a PCA, CDPA and/or FDPA, provided such modifications are made in consultation with the Department of Planning and Development (“DPD”), the Fairfax County Department of Transportation (“FCDOT”), and the Urban Forest Management Division (“UFMD”), and are in substantial conformance with the CDP/FDP and these Proffers.
7. Farmers Markets, Food Trucks, Special Events or Similar Activities. The Applicant, or its designee, will be permitted to operate farmers markets, food trucks, special events, or similar activities on the Property in the arrival area between the two buildings. The Applicant will request the issuance or approval of a temporary special permit as may be required under the Ordinance, which may include the establishment of an annual permit for continuing or seasonal events.
8. Telecommunications Equipment. Telecommunications equipment may be placed on the buildings’ rooftops or facades. Any such facilities must comply with the applicable requirements of the Ordinance and be screened and/or setback sufficiently from the

perimeter of the roof and penthouse such that they are not visible from the surrounding streets. Other screening measures may be used such as including the facilities as part of the architecture of the buildings, utilizing compatible colors, or employing telecommunication screening material and flush mounted antennas. Telecommunications equipment may also be architecturally integrated onto the facades of the building where necessary to ensure on-street and/or open space coverage.

9. Landscape Plan.

- A. As part of the all subsequent site plan submission(s), a detailed plan will be submitted to UFMD for review and approval. Details will include the composition of planting materials, methods for providing suspended pavement over tree root zones to prevent soil compaction, and methods for ensuring the viability of plantings on structures and along streets. Prior to the installation of plants to meet requirements of the approved landscape plan, the Applicant will coordinate a pre-installation meeting on site with the landscape contractor and a representative of UFMD.
- B. Street tree planting sites are depicted on the CDP/FDP, subject to revision as may be approved at site plan review by UFMD. A certified arborist or Registered Consulting Arborist will be retained to monitor the design and inspect the planting of the street trees and will notify UFMD in writing three (3) days prior to tree pit construction to allow for County inspection. Where minimum planting widths of eight (8) feet cannot be provided, the Applicant will provide detail for alternative designs showing how the proposed planting spaces will provide adequate tree growth and performance by installing structural cell technology, or other measures acceptable to UFMD, to meet the following specifications:
- (i) A minimum of 6 feet open surface width and 36 square feet open surface area for Category III and Category IV trees with the tree located in the center of the open area to the degree feasible;
 - (ii) A minimum subsurface rooting area of 8 feet wide (may be achieved with techniques to provide un-compacted soil below hardscape areas within the pedestrian realm), with no barrier to root growth within four feet of the base of the tree on Broad Street;
 - (iii) Minimum soil volume for Category III and Category IV trees (as defined in Table 12.14 of the PFM) will be 700 cubic feet per tree for single trees. However, in the event that the 700 cubic feet of soil volume cannot be met, less volume may be provided per UFMD review and approval. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet should be provided. For three trees or more planted in a contiguous area, the soil volume should equal at least 500 cubic feet per tree. Contiguous area is defined as any area with a soil depth of 3-4 feet;

- (iv) Typical soil specifications and bio-retention soil media specifications will be provided at time of site plan to UFMD for trees counted to meet 10-year tree canopy coverage. Actual soil specifications in planting sites will be provided after rough grading but before fine grading of the landscape/plant areas. Soil media as described in the soil specifications will be installed at time of planting;
- (v) Street trees planted within existing utility easements that are removed to facilitate repairs of utilities in these easements will be replaced.
- (vi) Street trees will be continually and properly maintained to promote and sustain healthy growth. The Applicant will submit a Street Tree Maintenance Plan to UFMD outlining the maintenance program at the time of site plan submission.

10. Broad Street.

- A. The owner of property identified on the 2021 Fairfax County Tax Maps as 29-3 ((1)) 63B, 66B1 and 66B3 and applicant in adjacent rezoning application RZ 2020-PR-009 (“Meridian”) proposes to construct Broad Street across the Property frontage from Westpark Drive to Clover Street, along with the associated streetscape. Meridian will also be responsible for the perpetual maintenance of the Broad Street streetscape. Upon written demand by Meridian or Fairfax County, the Applicant will dedicate and convey right-of-way and ancillary easements necessary to facilitate such construction by Meridian at no cost, provided: (a) sufficient interim access to/from the existing on-site uses is constructed as needed and maintained at all times; and (b) such improvements to the Property are coordinated with the Applicant prior to site plan approval for Broad Street. Dedication will extend to the back of the sidewalk. Where the existing underground garage prohibits dedication of the area of the landscape amenity panel and sidewalk as part of the right-of-way, the Applicant will grant a public sidewalk and utility easement in a form acceptable to the Office of the County Attorney over the area of the landscape amenity panel and sidewalk areas.
- B. Meridian proposes to submit to VDOT a signal justification report (“SJR”) for a traffic signal at the intersection of Westpark Drive and Broad Street, and install such a signal as approved by VDOT. Upon written demand by Meridian or Fairfax County, the Applicant will dedicate in fee simple to the Board of Supervisors or put into an easement, as appropriate, all land required for the signal equipment (poles, equipment boxes, etc.) on the Property not already dedicated.
- C. Broad Street will be constructed in its ultimate condition between Westpark Drive and Clover Street as a Collector Street with two eleven (11) foot travel lanes, one in each direction, a six (6) foot bicycle lane and a ten (10) foot parking lane on the north side of the street, a five (5) to six (6) foot bike lane on the south side of the street and turn lane(s) as shown on Sheets C-09 and C-12 of the CDP/FDP. Should installation of a traffic signal at the Broad/Westpark intersection be deemed

justified prior to the construction of Broad Street, the east bound approach of Broad Street at Westpark Drive will be constructed with one (1) right turn lanes as shown on Sheet C-09 of the CDP/FDP. Should a signal at the Broad/Westpark intersection not be deemed justified prior to the construction of Broad Street, the east bound approach of Broad Street at the Westpark will be constructed with two (2) right turn lanes as shown on Sheet C-09A of the CDP/FDP. Once a signal is warranted, the second right turn lane will be removed and the streetscape reconstructed within six (6) months after the signal is installed as shown on Sheet C-09 of the CDP/FDP.

- D. In conjunction with the street construction, a new streetscape will be installed along the Property's Broad Street frontage as shown on Sheet C-09. The streetscape will include an eight (8) foot landscape amenity panel and a six (6) foot wide sidewalk from Clover Street to the western most curb-cut, a five (5) foot sidewalk between the two curb cuts where an existing garage vents precludes a wider sidewalk, and eight (8) foot landscape amenity panel and an eight (8) foot sidewalk from the eastern curb-cut to Westpark Drive.
- E. The eastern curb cut on Broad Street will be constructed and signed to permit right turns out of the site and emergency ingress only.
- F. Timing of these improvements are set forth in the proffers associated with RZ 2020-PR-009.

11. Westpark Drive.

- A. Meridian proposes to restripe the existing pavement along the Property's Westpark Drive frontage as shown on Sheets C-09 and C-12 to permit two ten (10) travel lanes, a six (6) foot bicycle lane, and a thirteen (13) foot circulator lane, subject to VDOT approval. Prior to the initiation of the Circulator routes, the interim restriping will permit two ten (10) travel lanes, a six (6) foot bicycle lane, and a thirteen (13) foot turn lane, subject to VDOT approval.
- B. Meridian proposes to reconstruct the Westpark Drive streetscape to provide for an eighteen (18) foot wide Community Circuit, including an eight (8) foot wide landscape amenity panel and a (10) foot wide multi-modal section, as shown on Sheets C-09 and L3.2 of the CDP/FDP. Meridian will also be responsible for the perpetual maintenance of the Westpark Drive streetscape/Community Circuit. Upon written demand by Meridian or Fairfax County, the Applicant will dedicate and convey right-of-way and ancillary easements necessary to facilitate construction of the Community Circuit at no cost, provided such improvements to the Property are coordinated with the Applicant. Dedication will extend to the back of the Community Circuit.
 - (i) The multi-modal section of the Community Circuit will be consistent across the site frontage from Broad Street to the existing 12 foot wide sidewalk along the southern portion of the Property's Westpark Drive frontage, and will include:

- a. A consistent edge treatment that defines the trail alignment, comprised of twelve (12) inch long by four (4) inch wide dark gray square edged pavers set in a soldier course;
 - b. Extension of the dark gray edge treatment to the curb at each intersection, with dark gray paved warning stripes at the approach to each intersection;
 - c. A center section consisting of poured in place concrete that utilizes saw-cut joints; and
 - d. Medallions or imprints at corner locations, and approximately every 200 to 250 feet, to enhance Circuit-wide branding and wayfinding.
- (ii) Pedestrian and/or bicycle amenities associated with the Community Circuit such as, but not limited to, benches, bike racks, water filling stations, bicycle repair stations, and public art will be located outside of the clear multi-modal section.
 - (iii) Three (3) streetlights, meeting prevailing streetlight standards for Tysons, with integrated banner supports to provide opportunities for branding and/or seasonal banners will be located in the landscape amenity panel.
 - (iv) Signage for the Community Circuit will be located within the landscape amenity panel as may be approved by VDOT. Such signage may be incorporated into a Comprehensive Sign Plan (CSP) for the Property, or may be included as part of a Tysons-wide signage effort. Circuit signage locations will be coordinated with other signage that may be provided for the site. Meridian proposes to provide and install such signage, in keeping with specifications set forth in the Community Circuit Branding Guidelines to be developed by the Tysons Partnership, and provide perpetual maintenance.
 - (v) The final design and specific elements of the Community Circuit as described in this proffer and as illustrated on the CDP/FDP will be refined with the submission of site plans in coordination with the Urban Centers Section of DPD.
- C. Timing of these improvements are set forth in the proffers associated with RZ 2020-PR-009.

12. Service Alley.

- A. Meridian proposes to modify the existing service alley on the northwestern side of the Property as shown on Sheet C-09 of the CDP/FDP.

- (i) A five (5) foot wide sidewalk transitioning to high-contrast pavement treatment and signage will be added to the service alley to delineate a pedestrian path from Broad Street to Route 7.
 - (ii) A striped pedestrian crosswalk at the alley's intersection with Route 7 will be provided, if approved by VDOT.
 - (iii) Existing wall mounted lights on the buildings will be upgraded to provide one (1) foot-candle of light on the interim pedestrian path to the degree feasible. Existing lights on adjacent property identified on the 2021 Fairfax County Tax Maps as 29-3 ((1)) 44 ("Parcel 44") also provides light for the interim pedestrian path. If in the future, the lights on Parcel 44 are significantly altered, the Applicant will provide supplemental lighting on the Property to achieve a minimum one (1) foot-candle lighting level of the pedestrian path.
 - (iv) Timing of said improvements are set forth in the proffers associated with RZ-2020-PR-009.
 - (v) The Applicant will provide maintenance, including snow removal of the alley and pedestrian path.
- B. In the event that Parcel 44 seeks site plan approval for a redevelopment in accordance with the Comprehensive Plan and has a proffered obligation to reconstruct the private service alley as a public local street as generally shown on Sheet S-01, then upon written demand by Fairfax County, the Applicant will dedicate and convey right-of-way and ancillary easements necessary to facilitate such construction by the owner of Parcel 44, provided: (a) sufficient interim access to/from the existing buildings is maintained at all times; and (b) such improvements to the Property are coordinated with the Applicant prior to site plan approval for the road improvement. The streetscape on the east side of the street will include a landscape amenity panel where feasible, a six (6) foot sidewalk, and a variable width building zone. Existing garage entrances, loading entrances, and transformers are to remain. The Applicant will not be responsible for the cost of street reconstruction or the landscape amenity panel on the east side of the street, however the Applicant will be responsible for the construction of the sidewalk improvements on the east side of the new street, including markings across the loading and garage entrances.
13. Future Parking Revisions. The Applicant reserves the right to provide parking at revised ratios as may be permitted by a future amendment to the Ordinance. The Applicant also reserves the right to voluntarily elect to reduce the number of off-street parking spaces for the Property to a number between what is currently approved for the site and the applicable minimum parking rates specified for the PTC District.

14. Advanced Density Credit. Advanced density credit is reserved consistent with subsection 5100.2.E of the Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.
15. Severability. Pursuant to subsection 8100.2.D of the Ordinance, any portion of the Property may be the subject of a PCA, Special Exception (“SE”), Special Permit (“SP”), or FDPA without joinder and/or consent of the owners of the other portions of the Property, provided that such PCA, SE, SP or FDPA does not materially adversely affect the other phases. Previously approved zoning applications applicable to the balance of the Property that is not the subject of such a PCA, SE, SP or FDPA will otherwise remain in full force and effect.
16. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and their successors and assigns. Each reference to “Applicant” in this proffer statement will include within its meaning and will be binding upon Applicant’s successor(s) in interest and/or the owners from time to time of any portion of the Property during the period of their ownership. Once portions of the Property are sold or otherwise transferred, the associated proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferor.
17. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original, and all of which taken together will constitute but one and the same instrument.

[SIGNATURE BEGINS ON NEXT PAGE]

APPLICANT/TITLE OWNER OF TAX MAP
Tax Map 29-3 ((1)) 66A3, 66A4

WESTPARK CORPORATE CENTER, L.L.C.

By: The Northwestern Mutual Life Insurance Company,
Its Managing Member

By: Northwestern Mutual Investment
Management Company, LLC,
its wholly-owned affiliate

By: Angela Scodellaro
Its: Investment Manager

[SIGNATURE ENDS]

PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2020-PR-008

September 23, 2021

If it is the intent of the Planning Commission to approve FDP 2020-PR-008 located at 8444 and 8484 Westpark Drive, Tax Map Parcels 29-3 ((1)) 66A3 and 66A4, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions. These conditions are in addition to the proffered commitments approved with RZ 2020-PR-008.

1. Any plan submitted pursuant to this final development plan must be in substantial conformance with the approved FDP entitled "Westpark Corporate Center" and dated April 2, 2020, as revised through August 12, 2021, consisting of 26 sheets, and these conditions.

Minor modifications may be permitted pursuant to subsection 8100.5 of the Zoning Ordinance.



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: September 13, 2021

TO: Katelyn Quinn, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal
Office of the County Attorney

SUBJECT: Affidavit
Application No.: RZ/FDP 2020-PR-008
Applicant: Westpark Corporate Center, LLC
PC Hearing Date: 10/9/21
BOS Hearing Date: 10/19/21

REF.: 157081

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 9/9/21, which bears my initials and is numbered 157081, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Julia Nichols, Planning Technician I (Sent via e-mail)
Zoning Evaluation Division
Department of Planning and Zoning

REZONING AFFIDAVIT

157081b

DATE: September 9, 2021
(enter date affidavit is notarized)

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

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

in Application No.(s): RZ/FDP 2020-PR-008
(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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Westpark Corporate Center, L.L.C. and TMG 8400 Westpark Drive, L.P. with their respective agents and relationships.

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

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

Rezoning Attachment to Par. 1(a)DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
VIKA Virginia, LLC Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Franklin E. Jenkins Jeffrey A. Kreps Joseph D. Amatetti Shawn T. Frost	8180 Greensboro Drive, #200 Tysons, VA 22102	Engineer/Agent
Walsh, Colucci, Lubeley & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel M. Catharine Puskar Andrew A. Painter Robert D. Brant Kathryn R. Taylor Elizabeth D. Baker Bernard S. Suchicital	2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201	Attorneys/Planners/Agent for Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent

(check if applicable)

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

Rezoning Attachment to Par. 1(a)DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
M. J. Wells and Associates, Inc. Agents: William F. Johnson Kevin R. Fellin Brian J. Horan Andrew C. Buntua Lester E. Adkins, III	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Transportation Consultant/Agent
Mahan Rykiel Associates, Inc. Agents: Mark E. Pelusi Scott J. Rykiel Jeffrey R. Dube	3300 Clipper Mill Road, Suite 200 Baltimore, MD 21211	Landscape Architect/Agent
Wire Gill LLP Agents: David R. Gill Kenneth W. Wire James A. Thornhill Heather Dlhopsky Stephanie C. Cutler Brent E. Glenn Ina C. Charvet Harry P. Hart Mary Catherine Gibbs Donna L. Scott (FORMER) Megan C. Rappolt A. Faheem Darab	1750 Tysons Boulevard, Suite 1500 Tysons, VA 22102	Attorneys/Planner/Agent for Applicant Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent

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

REZONING AFFIDAVIT

DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(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)
Westpark Corporate Center, L.L.C.
8484 Westpark Drive, Suite 210
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
The Northwestern Mutual Life Insurance Company, Member
National Automobile Dealers Association, Member
NM GP Holdings, LLC, Member

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

(check if applicable) There is more corporation information and Par. 1(b) is continued 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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

The Northwestern Mutual Life Insurance Company
720 East Wisconsin Avenue
Milwaukee, WI 53202

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)

The Northwestern Mutual Life Insurance Company is a non-stock company with no shareholders. Instead, policyholders share in the ownership of the company. There are in excess of thousands of policyholders, none of whom own 10% or more of Westpark Corporate Center, L.L.C.

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

President, Vice-President, Secretary, Treasurer, etc.)
Peter F. Jahn, Director, Matthew D. Heinke, Assistant Secretary

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

Northwestern Mutual Investment Management Company, LLC
720 East Wisconsin Avenue
Milwaukee, WI 53202

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)

The Northwestern Mutual Life Insurance Company

[Northwestern Mutual Investment Management Company, LLC is The Northwestern Mutual Life Insurance Company's wholly owned affiliate and authorized representative]

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

President, Vice-President, Secretary, Treasurer, etc.)
Angela Scodellaro, Investment Manager, Peter F. Jahn, Director; Matthew D. Heinke, 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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Meridian Realty Partners II GP, L.L.C.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

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)
Meridian Group Holdings, L.P., Member
Meridian Group Holdings GP, L.L.C., Manager

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Gary E. Block, Chief Investment Officer
Mark D. King, Chief Operating Officer & Chief Financial Officer
G. David Cheek, President
Bruce S. Lane, EVP

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Wendy A. Alexander John H. Foote Charles E. McWilliams Kathleen H. Smith
David J. Bomgardner H. Mark Goetzman Antonia E. Miller Lynne J. Strobel
E. Andrew Burcher Bryan H. Guidash J. Randall Minchew Erin M. Thiebert
Jonelle M. Cameron Michael J. Kalish Andrew A. Painter Garth M. Wainman
Thomas J. Colucci Michael R. Kieffer M. Catharine Puskar Matthew A. Westover
Michael J. Coughlin John E. Rinaldi

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

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

Rezoning Attachment to Par. 1(b)

DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

M. J. Wells & Associates, Inc. is an Employee Stock Ownership Plan (ESOP). All employees are eligible Plan participants; however, no one employee owns 10% or more of any class of stock.

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Mahan Rykiel Associates, Inc.
3300 Clipper Mill Road, Suite 200
Baltimore, MD 21211

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)

Mark E. Pelusi	Scott J. Rykiel
Cathy Snellinger	Thomas McGilloway
Matthew Renault	Peng Gu
Isaac Hametz	

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
VIKA Virginia, LLC
8180 Greensboro Drive, Suite 200
Tysons, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

John F. Amatetti, Charles A. Irish, Jr., Robert R. Cochran, P. Christopher Champagne

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Meridian Group Holdings GP, L.L.C.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

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)

G. David Cheek, Manager
Bruce S. Lane, Manager

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

National Automobile Dealers Association
8484 Westpark Drive, Suite 500
Tysons, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

A non-stock corporation with no shareholders.

=====

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

=====

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

NM GP Holdings, LLC
720 East Wisconsin Avenue
Milwaukee, WI 53202

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)

The Northwestern Mutual Life Insurance Company

=====

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

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

REZONING AFFIDAVIT

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for Application No. (s): RZ/FDP 2020-PR-008
(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)
TMG 8400 Westpark Drive, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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**)

General Partner: Meridian Realty Partners II GP, L.L.C.
8400 Westpark Drive Holdings, L.P. (FORMER)

Limited Partners: Meridian Realty Partners, II, L.P. (FORMER)
Meridian Realty Partners NUS II, L.P. (FORMER)
Meridian Realty Partners H II, L.P. (FORMER)
Meridian Realty Partners II-C, L.P. (FORMER)
TMG 8400 Westpark Drive Holdings, L.P.

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
8400 Westpark Drive Holdings, L.P. (FORMER)
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner:
Meridian Realty Partners II, L.P.

Limited Partners:
Meridian Realty Partners II, L.P.
Meridian Realty Partners H II, L.P.
Meridian Realty Holdings II-C, L.P.

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

Meridian Realty Partners II, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner:

Meridian Realty Partners II GP, L.L.C. (owns less than 10% of TMG 8400 Westpark Drive, L.P.)

Limited Partners:

MCERS Montgomery County Employees' Retirement System - MRP II (There are in excess of thousands of members in this pension fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

Advocate Health and Hospitals Corporation (not-for-profit hospital system)

Fire and Police Employees' Retirement System of the City of Baltimore (There are in excess of thousands of members in this pension fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

The Young Men's Christian Association Retirement Fund (There are in excess of thousands of members in this pension fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

Meridian Realty Partners H II, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner:
Meridian Realty Partners II GP, L.L.C.

Limited Partner:
Healthcare of Ontario Pension Plan Trust Fund (There are in excess of thousands of members in this pension fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

Meridian Realty Partners NUS II, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner:
Meridian Realty Partners II GP, L.L.C.

(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)

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157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

Meridian Realty Holdings II-C, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner:
Meridian Realty Partners II GP, L.L.C.

Limited Partners:
Alberta Investment Management Corporation (a Canadian public sector pension plan with thousands of members, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

Alberta Teachers Retirement Fund (There are in excess of thousands of members in this pension fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

H.I. USA Real Estate Fund (There are in excess of thousands of members in this global investment fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

Morgan Stanley PESARC Real Estate Holdings, Ltd. Fund (There are in excess of thousands of members in this investment fund, none of whom own more than 10% of TMG 8400 Westpark Drive, L.P.)

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
Wire Gill LLP
1750 Tysons Boulevard, Suite 1500
Tysons, VA 22102

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

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

Equity Partners:

David R. Gill, Partner
Kenneth W. Wire, Partner
James A. Thornhill, Partner
Heather Dlhopsky, Partner
Stephanie C. Cutler, 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 Attachment to Par. 1(c)

DATE: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
TMG 8400 Westpark Drive Holdings, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner: Meridian Realty Partners II GP, L.L.C.

Limited Partners: Meridian Realty Partners, II, L.P.
Meridian Realty Partners NUS II, L.P.
Meridian Realty Partners H II, L.P.
Meridian Realty Partners II-C, L.P.

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(enter County-assigned application number (s))

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

Meridian Group Holdings, L.P.
3 Bethesda Metro Center, #1400
Bethesda, MD 20814

(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)

General Partner: Meridian Group Holdings GP, L.L.C.

Limited Partners: Gary E. Block
G. David Cheek
Bruce S. Lane

(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(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: September 9, 2021
(enter date affidavit is notarized)

157081b

for Application No. (s): RZ/FDP 2020-PR-008
(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)

Elizabeth D. Baker
[] Applicant [x] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 9 day of September 2021, in the State/Comm. of Virginia, County/City of Arlington.

My commission expires: 11/30/2023



Kimberly K. Follin
Notary Public



WALSH COLUCCI
LUBELEY & WALSH PC

Elizabeth D. Baker
Senior Land Use Planner
(703) 528-4700 Ext. 5414
ebaker@thelandlawyers.com

August 12, 2021

Tracy D. Strunk, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Development
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: RZ 2020-PR-008 - Application to Rezone Land in the Tysons Urban Center
Westpark Corporate Center, LLC (the “Applicant” and “WCC”)
Tax Map 29-3 ((1)) 66A3 and 66A4 (the “Property”)

Dear Ms. Strunk:

This letter serves as a statement of justification for a rezoning application on 4.41 acres of land located in the northwest quadrant of the intersection of Leesburg Pike (Route 7) and Westpark Drive (Route 5061) in the Tysons area of Fairfax County. A companion rezoning application RZ 2020-PR-009 by TMG 8400 Westpark Drive, L.P. has also been filed on adjacent property identified as Tax Map 29-3 ((1)) 61A, 63B, 66B1 and 66B3 (the “Meridian Property”). The Meridian Property is a combination of what is often referred to as the NADA Property (Parcels 66B1 and 66B3) and the Clover Property (Parcel 63B).

Application Area

The Property is located midway between the Greensboro Metro Station and the Spring Hill Metro Station. Located in the Providence District, the site has extensive frontage on both Westpark Drive and Leesburg Pike. The Boro development and the future Westpark Plaza project, both zoned PTC, are located to the south across Westpark Drive. To the east is the NADA property and to the north adjacent property is zoned C-7 and developed with a vehicle sales and service establishment. To the west across Route 7 is a mixture of individual retail establishments.

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

Background

The WCC Property and NADA Property are zoned C-4 (High Intensity Office District), HC (Highway Corridor Overlay District) and SC (Sign Control Overlay District). The WCC and NADA Properties were zoned several decades ago without proffers. The C-4 District permits office and associated development at a maximum FAR of 1.65.

Based on previous subdivision approvals and recorded agreements, the WCC Property and the NADA Property are considered as a single unit for the purpose of compliance with the Fairfax County Zoning Ordinance (the “Zoning Ordinance”). Below is a listing of the individual parcels, land areas, and existing GFA as reported in the County tax assessment records for the WCC and the NADA Properties:

Tax Map Parcel	Land Area	Current Zoning	Current GFA
WCC:			
29-3 ((1)) 66A3	145,405 SF (3.34 acres)	C-4, HC, SC	286,966 SF
29-3 ((1)) 66A4	46,821 SF (1.073 acres)	C-4, HC, SC	225,620 SF
Reserved ROW	13,879 SF (0.31856 acre)		NA
NADA:			
29-3 ((1)) 66B1	72,716 SF (1.67 acres)	C-4, HC, SC	NA
29-3 ((1)) 66B3	206,375 SF (4.74 acres)	C-4, HC, SC	NA

The treatment of the two properties as a single unit permits the intensity for the two existing buildings on the WCC Property and the existing building on the NADA Property to be based on the combined land area of the WCC Property and NADA Property, instead of on the individual parcel areas. Without this consideration, the WCC Property would exceed the maximum 1.65 FAR allowed in the C-4 District. To illustrate, the WCC Property with 206,105 SF of land is developed with buildings totaling 512,586 SF of GFA. This results in a 2.49 FAR. The NADA Property with 279,091 SF of land is developed with 195,879 SF of GFA, with a resultant 0.70 FAR. Together the three buildings with 708,465 SF of GFA on 485,196 SF of land generate a 1.46 FAR.

Requested Rezoning

With the proposed rezoning of the NADA Property and removal of its land area from the C-4 District, rezoning of the WCC Property is required to ensure its existing GFA/FAR will be in conformance with the Zoning Ordinance. The rezoning and Conceptual Development Plan/Final Development Plan (CDP/FDP) applications (the “Applications”) for the Property propose a rezoning from the C-4, Highway Corridor Overlay (HC), and Sign Control Overlay (SC) Districts to the Planned Development Commercial (PDC), HC, and SC Districts. No new development is requested. The applications simply seeks to allow the continued use of the WCC Property at a FAR of 2.49.

Comprehensive Plan Guidance

The Property is located in the Tysons Central 7 District and recommendations for use and development are guided by both the Areawide Recommendations and the Tysons Central 7 – North Subdistrict recommendations. The Plan includes both a Base Plan recommendation and a Redevelopment Option recommendation. The Base Plan calls for office with support retail and service uses at intensities of up to 1.65 FAR. The Redevelopment Option calls for Residential Mixed Use development at between 2.0 and 3.0 FAR. While the proposed FAR of 2.5 exceeds the Base Plan of 1.65 FAR, it is all existing GFA. Retention of well-located office uses is important to the future of Tysons as the County leading employment area. These two buildings will remain for many years, as they were constructed in 1999 and 2000.

The Tysons Plan also seeks to ensure enhanced connectivity for both pedestrians and vehicles. A new grid of streets was adopted in the Plan to create an urban form and provide multiple options for moving through Tysons. The Applicant's CDP/FDP provides for the construction of Broad Street along the Property's eastern boundary, and improvements along the Westpark Drive frontage and on-site private alley. Broad Street will be a public collector street, portions of which have been planned and approved with approval of The Boro to the south and the Spring Hill Station Demonstration Project to the north. In the future, this collector street will be extended by others to connect with Spring Hill Road and Pinnacle Drive.

The Plan also provides guidance on consolidation, street grid, urban design, urban park standards and a host of other topics. Below is a description of how the proposed rezoning and CDP/FDP for the Property meet the major elements of the Plan and the specific subdistrict recommendations. Where the description of compliance with the major elements also satisfies the subdistrict recommendations, it is not repeated.

A. Major Elements of the Plan

1. Mix and arrangement of uses

The Base Plan recommends this area for office with support retail and service uses at intensities up to 1.65 FAR. On page 38 of the Tysons Plan states: "Most existing development in Tysons is not consistent with the long-term vision for Tysons. However, expansion and remodeling of existing buildings may be permitted as long as these changes are not counter to Plan objectives. Proposals to modify an existing use should be considered if they result in significant public benefits and do not delay or interfere with the achievement of the long term vision for Tysons. Improvements to open space, streetscapes, and streets identified in the Plan are encouraged."

While the Applicant is not modifying or expanding the existing buildings, through a rezoning to PDC, the Applicant is modifying the allowable uses. For instance, retail sales, is not a permitted use in the existing C-4 District, but is permitted in the PDC District. This modification may be permitted if significant public benefits are provided. The Applicant's dedication of right-of-way for the construction of Broad Street, a new collector, and

dedication for the Community Circuit are significant benefits to the County and advance the vision for Tysons. Streetscape improvements and pedestrian and bicyclist enhancements help support the long term goals of Tysons.

2. Affordable and workforce housing

Residential uses are not proposed with this application and no new building construction is proposed.

3. Green building expectations

The application does not propose any new building construction on the Property.

4. Stormwater Management

The application does not propose new development on the property. However, bio-retention facilities will be installed within the streetscape of the proposed Broad Street. In addition, this proposal will reduce the amount of impervious surface currently found on the Property.

5. Consolidation performance objectives

The Plan encourages consolidation in order to be rezoned for redevelopment under the PTC District regulations and meet the many objectives of the Tysons Plan. Specifically, the Tysons Central 7 North Subdistrict guidance states that “For the area north and west of Westpark Drive, consolidation should occur with property in the abutting Tysons West District.” The Property includes two parcels with a total land area of approximately 4.41 acres of land in the North Tysons Central 7 as recommended in the Plan. A companion rezoning application by TMG 8400 Westpark Drive, L.P. has also been filed on the adjacent four parcels referred to as the NADA/Clover Property partially in the Tysons West District and partially in the Tysons Central 7 North Subdistrict. These two applications are being coordinated and have resulted in the provision of Broad Street, an important new collector paralleling Route 7 and Greensboro Drive.

6. Transportation

- Grid of streets on and off-site

The Applicant has coordinated the design of streets with the Spring Hill Station (Demonstration Project), The Boro and The Boro Blocks I, J, K and L. The intent is to produce a grid in keeping with the Tysons vision that is both effective and practical. The grid includes construction of a new street identified as Broad Street, which will be designed as a public collector road. The Applicant will dedicate right-of-way (“ROW”) and thus significantly expand circulation in this neighborhood. The Application also proposes to enhance the existing northern service alley to be an extension of the proposed Clover Street from the NADA Property. The Applicant will dedicate the

additional ROW for Clover Street and will provide the streetscape south of Clover Street when the adjacent northern property redevelops in the future.

- Parking management

The amount of parking for the Property will not change as there is no new development being proposed with this application. The CDP/FDP provides details as to the location and access of parking and loading spaces.

- Phasing to transportation improvements and programs

Since no new building construction is proposed, this element is not applicable.

- Traffic impact analysis evaluating three time periods: first phase, interim phase, and Plan build-out

Since no new building construction is proposed, this element is not applicable.

7. Urban park standards

The application does not propose any new development and thus the urban park standards do not apply. However, the Applicant is dedicating right-of-way for the Community Circuit all along its Westpark Drive frontage. This will accommodate a long stretch of this important element of the Tysons Park Plan.

8. Active recreation facilities

The Applicant will be dedicating right-of-way for the Community Circuit which provides space for walking, running and leisure biking. Additional active recreational facilities such as exercise rooms may be incorporated within the office buildings.

9. Public facilities

Since no new building construction is proposed, this element is not applicable.

B. Tysons Central 7 North Subdistrict – Additional Redevelopment Option Guidance

Development proposals should provide for the following.

1. The vision for this subdistrict is to remain one of Tysons' greatest concentrations of office space, with the provision of more office buildings with highest intensities near the Metrorail Station. However, to become a vibrant 24-hour area, the area's diversity of land use including hotel, residential, and retail uses should be provided at intensities and land use mixes consistent with the Areawide Land Use Recommendations.

The Property is located beyond a quarter mile to the Greensboro Metrorail Station. The Applicant does not propose to modify the existing intensities and primary office use of the Property. The CDP/FDP is reflective of the existing two attractive office buildings on site, and is consistent with the Areawide Land Use Recommendations to maintain an office presence near Metrorail stations.

2. Redevelopment should occur in a manner that fosters vehicular and pedestrian access and circulation. Development proposals should show how the proposed development will be integrated within the subdistrict as well as the abutting districts/subdistricts through the provision of the grid of streets.

The Applicant will not be adding to the existing buildings on the Property, but will be making major contributions to Tysons. The Applicant proposes to dedicate key sections of a grid of public streets on the Property: Broad Street and Clover Street. Broad Street is an extension of a street previously approved with nearby rezoning applications. These new streets will enhance the grid and ensure new links are made. In addition improvements are being made to the Westpark Drive frontage including construction of a lengthy section of the Community Circuit which enhances multi-modal transportation options.

3. A potential circulator alignment extends across this Subdistrict, as described in the Areawide Transportation Recommendations. In addition to the above guidance for this area, redevelopment proposals along the circulator route should provide right-of-way or otherwise accommodate the circulator and should make appropriate contributions toward its construction cost.

The Applicant has provided a circulator lane and a bike lane along its Westpark Drive frontage.

Uses and Use Limitations

The Applicant proposes the following principal uses be permitted on the Property: banquet or reception hall; business service; catering; college or university; convention or conference center; data center; financial institutions; household repair and rental service; massage therapy establishment; office; personal service; pet grooming facility; public use; restaurants; and retail sales, general; subject to the Use Standards in Section 4102.

Below is a listing of the Use Standards applicable to the proposed principal uses in the PDC District and discussion of how the development meets those standards,

1. Subsection 4102.4.G states that in the PDC District, the minimum gross floor area of a convention or conference center is 100,000 SF.

The Property includes over 500,000 SF of GFA, so a convention/conference center could be accommodated.

2. Subsection 4102.5.B states pet grooming establishments will be operated such that:

- (1) All animals must be kept within a completely enclosed building.
- (2) Animals may not be boarded overnight.

Nothing in these use standards cannot be accommodated on the Property.

3. Subsection 4102.6.A states that for data centers: all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.

Nothing in this use standard cannot be accommodated on the Property.

In addition, the Applicant requests the following secondary uses: accessory uses; adult day support center; child care center; club, service organization or community center; cultural facility or museum; religious assembly; school, private; specialized instruction center; veterinary hospital; restaurants, carryout; commercial recreation, indoor; entertainment, public; health and exercise facility, large; health and exercise facility, small; smoking lounge; convenience store; craft beverage production establishment; commercial off-street parking; new vehicle storage, vehicle transportation service; goods distribution hub; small scale production establishment; and temporary uses, subject to the Use Standards in Section 4102.

Below is a description of the use standards relevant for proposed secondary uses in the PDC District and discussion of how the development meets those standards s:

- 1. Subsection 4102.4.A states that adult day support centers will operate such that: In keeping with Section 9-506, commercial recreation restaurants on the Property will operate such that:
 - A. The adult day support center must provide a drop-off and pick up location that includes step-free access.
 - B. If an outdoor recreation area is provided, it must be located outside the minimum front setback, unless specifically approved by the Board by special exception in accordance with subsection 8100.3.

The Property provides step free-access and elevator access. Since outdoor recreation area is not mandatory, this section is not relevant. Nothing in these use standards would preclude an adult day support center from being accommodated on the Property.

2. Subsection 4102.4.C states that a child care center is required to:

- A. Include an outdoor recreation area:

- (i) Provide at least 100 square feet of usable outdoor recreation area for each child that may use the space at any one time;
- (ii) Be designed or usable for active outdoor recreation purposes;
- (iii) Occupy less than 80 percent of the combined total areas of the required rear and side yards;
- (iv) Be located outside the minimum front setback, unless specifically approved by the Board by special exception in accordance with subsection 8100.3; and
- (v) Not include areas covered by buildings or off-street parking.

B. The child care center must be designed and located to allow the safe and convenient pick-up and drop-off of persons on the site.

The Property includes outdoor areas adjacent to the building that could be utilized as an outdoor recreational space and would be sized based on the number of children using the space. Easy drop-off and pick-up can occur in the central entry plaza or under the cover of the parking garage. Nothing in these use standards would preclude a child care center from being accommodated on the Property.

3. Subsection 4102.5.C requires veterinary hospitals to be located within a completely enclosed building which is adequately ventilated and soundproofed to mitigate odor and noise.

The Property can accommodate a veterinary hospital within a completely enclosed building and can provide for adequate ventilation and soundproofing.

4. In keeping with subsection 4102.5.C, a convenience store in the Highway Corridor Overlay District must comply with the following standards:

- A. Access to the use must be designed to not impede traffic on public or private streets or travel ways; and
- B. Any outdoor storage or display of goods must be shown on the special exception plat.

Access to the property is from an entry plaza or a garage off a private alley and does not front directly on the Route 7 (the relevant highway corridor in this situation) and thus will not impede traffic. No outdoor storage or display of goods will be permitted.

5. Subsection 4102.5.KK sets forth the following standards for commercial off-street parking. The following are relevant to the PDC District:

- A. Commercial off-street parking must have safe and convenient access to a street, and ingress and egress must be provided only through driveway openings as approved by the Director in accordance with the Public Facilities Manual.
- B. A parking space that is located contiguous to a street must have a curb between the space and the street.
- C. A parking space that is located on the ground and is open to the sky may be located in any required yard, provided a parking space must be located a minimum distance of ten feet from front lot line(s), except as may be qualified by the provisions of Section 5108.
- D. All structures are subject to the bulk regulations of the zoning district in which they are located, except parking structures that are completely underground may be located in any required yard but must be located a minimum of one foot from all lot lines.
- E. Commercial off-street parking must be used for the parking of passenger vehicles in operating condition and not for the storage of commercial vehicles such as buses or tractor-trailers. No motor vehicle repair work, except emergency service, is permitted in association with commercial off-street parking.

The commercial off-street parking would only occur inside the garage with access from Broad Street or the private alley and would be conformance with all Use Standards.

- 6. Subsection 4102.5.LL(4) sets forth the following standards for new vehicle storage in the PDC District:

In the C-3, C-4, C-6, C-7, C-8, I-3, I-4, and PDC Districts, new vehicle storage is allowed only when located within a parking structure that is accessory to another use and in parking spaces that are in excess of the minimum number of required off-street parking spaces for the use to which the parking structure is accessory. The new vehicle storage must comply with the following requirements:

- A. The owner of the parking structure must submit a parking tabulation in accordance with subsection 8100.7 that demonstrates that excess parking spaces are available for the proposed new vehicle storage.
- B. The layout of the new vehicle storage may not hinder the internal vehicle circulation within the parking structure, and there must be no mechanical parking lift devices or fencing associated with the new vehicle storage.

- C. Transitional screening in accordance with Section 5108 is not required.

The new vehicle storage could be accommodated within the parking garage, and would be arranged so to ensure storage does not hinder the internal vehicle circulation, or include lifts or fencing.

- 7. Subsection 4102.5.QQ(1) sets forth standards for vehicle transportation service in the PDC District:

In the C-6, C-7, C-8, PDC, PRC, PRM, and PTC Districts, a vehicle transportation service must comply with the following standards:

- A. A maximum of five company vehicles are allowed on-site at any given time.
- B. Maintenance and refueling of vehicles on-site are not allowed.
- C. Except in the PTC District, transitional screening and barriers must be provided in accordance with use group #9, not use group #15.

The vehicle transportation service could be accommodated within the parking garage, and would abide by the standards with regard to the number of vehicles and prohibition of maintenance and refueling.

- 8. Subsection 4102.6.A sets forth the standards for a Goods Distribution Hub:

- A. A. Vehicles associated with the use are subject to the following standards:
 - (i) The use of semitrailers, including tractor or trailer units, or any vehicle that exceeds 28 feet in length to deliver goods from the facility is prohibited; and
 - (ii) No more than five vehicles that exceed 21 feet in length may be stored on-site in surface parking lots. The on-site storage of semitrailers, including tractor trailer units, or any vehicle that exceeds 28 feet in length is prohibited.
- B. Except as otherwise provided below, the goods distribution hub may not exceed is 6,000 square feet of gross floor area in the C-3, C-4, and C-5 Districts, or 10,000 square feet of gross floor area in the C-6, C-7, C-8, PDC, and PTC Districts.
- C. When located in a building existing on July 1, 2021, the maximum gross floor area of the goods distribution hub may exceed the maximum gross floor areas in subsection (2) above, up to a total of 80,000 square feet of gross floor area for the entire site, including all buildings in a shopping center, if a minimum of ten percent of the gross floor area of each building housing a goods distribution hub is used for retail sales or other activities characterized by in-person interaction with

the public.

The Property can accommodate Goods Distribution Hub and abide by all applicable standards.

9. Subsection 4102.6.N sets forth the Use Standards for Small-Scale Production Establishments. Relevant standards to the PDC District include:
 - A. The maximum size of an individual small-scale production establishment in the PDC District is 10,000 SF
 - B. The maximum size established in subsection (1) does not preclude the location of more than one establishment per lot.
 - C. The use may not include the bulk storage of flammable materials for resale.
 - D. Storage of materials and production activities must be located within a completely enclosed structure. The emission of odor and noise must be mitigated through the provision of ventilation and soundproofing in accordance with all County and State standards.
 - E. A small-scale production establishment may not include heavy industrial activities as described in the definition of heavy production or processing.
 - F. In the C-5, C-6, C-7, C-8, PDH, PDC, PRC, and PRM Districts, a small-scale production establishment must include accessory retail sales or another accessory component that provides direct interaction with the public. For food or beverage production, this requirement may be satisfied by an accessory carryout restaurant that is subordinate and incidental to the commercial production, and where the counter and customer waiting and seating areas do not exceed ten percent of the gross floor area of the establishment. This requirement may also be satisfied by a retail sales establishment or a restaurant or carryout restaurant that is established and parked as a separate principal use.

The Property can accommodate a small scale production establishment within an enclosed structure, provide the associated retail component, ensure mitigation through ventilation and sound proofing, meeting the Use Standards.

10. In keeping with subsection 410.6.K, craft beverage production establishments will operate such that:
 - A. Production will be limited to no more than 5,000 barrels of beer, or 5,000 gallons of distilled spirits, wine, cider, or mead annually, unless modified by the Board in conjunction with the approval of a development plan.
 - B. The establishment will include an on-site tasting room.

- C. Parking must be provided in accordance with the requirements of Sect. 11-104 of the Zoning Ordinance.
- D. Storage of materials used in the production process will only be permitted within a completely enclosed structure.

The Property is able to meet all the standards associated with a craft beverage production establishment.

Highway Corridor Overlay District

The Highway Corridor Overlay District, which applies to the Property, provides for additional controls on specific auto-oriented uses along major transportation corridors to limit congestion and improve safety. The Applicant is requesting convenience stores as a permitted secondary use. This use is controlled in the Highway Corridor Overlay District. While this use may be permitted as ground floor use, it will be as a small component included in a larger building. As such, the vehicular impacts associated with free-standing auto-oriented uses are not expected.

Requested Waivers and Modifications

A number of Zoning Ordinance modifications and waivers as well as Public Facilities Manual (PFM) modifications are requested to accommodate the existing development. The proposed development complies with all current applicable land development ordinances, regulations, and adopted standards, except as follows and as further detailed on Sheet C-03 of the CDP/FDP.

Zoning Ordinance Waivers and Modifications

1. The Applicant requests a modification of Paragraph 1 of Section 2-505 of the Zoning Ordinance to allow buildings to be constructed to the streetscape building zone on corner lots on public streets and lots with private street easements that may create a corner lot configuration as defined in the Zoning Ordinance.

Justification: The location of the existing building at the future corner of Broad Street and Clover Street creates the need for this modification.

2. The Applicant requests a modification of subsection 8100.7.E(2) requiring the construction of trails and walkways in favor of the streetscape and bike lane system on the CDP/FDP. Specific requests and justifications:
 - *A modification of the Route 7 streetscape in favor of the condition constructed by the Metro Rail project.*
 - *A modification of the Westpark Drive frontage, which cannot accommodate the*

expected street trees in the landscape amenity panel due to existing underground utilities.

- *A modification of portions of the Broad Street streetscape where due to existing conditions including underground garages and retaining walls, it is not possible to provide the full landscape amenity panel and eight foot sidewalks, as expected on a collector street.*
- *A modification of the private alley where due to existing conditions, a five foot sidewalk cannot be provided now. A segment of sidewalk will transition into a yellow striped pedestrian path.*

3. The Applicant requests a waiver from The Applicant requests a waiver of Paragraph 3 of Section 17-201 of the Zoning Ordinance to waive the requirements for additional inter-parcel access to adjoining parcels (other than those shown on the CDP/FDP).

Justification: The application provides for an interconnected grid of streets in keeping with Comprehensive Plan guidance. Furthermore, the CDP demonstrates how the proposed grid may be expanded in the future as surrounding properties develop.

4. The Applicant requests a waiver of subsection 8100.7.E(3) of the Zoning Ordinance to eliminate the requirement for a service road along Route 7.

Justification: The Tysons Urban Center Comprehensive Plan does not recommend a service drive adjacent to Route 7.

5. The Applicant requests a determination of subsection 8100.7.E(4) of the Zoning Ordinance requiring any further dedication and construction of widening for existing roads beyond that which is indicated on the CDP.

Justification: The street grid and designs has been negotiated over the course of review of the application and is in conformance with Comprehensive Plan guidance. The Applicant has proffered the requested on-site street grid improvements.

Summary

The proposed rezoning of the Property does not change the GFA for the Property. It will ensure that these existing office assets, which are key to the strong employment base of Tysons, can continue well into the future in full compliance with the Zoning Ordinance. These buildings, and the firms and employees that occupy them, play a vital role in the economic health of Tysons and in supporting the transformation of Tysons into a vibrant urban center. This application advances the vision for Tysons by providing for new grid streets, new streetscapes, bike lanes and a bus circulator lane, as well as a considerable length of the Community Circuit.

Very truly yours,

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



Elizabeth D. Baker
Senior Land Use Planner

EDB/kkf



County of Fairfax, Virginia

MEMORANDUM

DATE: July 29, 2021

TO: Tracy Strunk, Director
Zoning Evaluation Division, DPD

FROM: Suzie Battista, Section Chief *Suzanne M. Battista*
Urban Centers Section, DPD

SUBJECT: Land Use and Design Analysis **REVISED**
RZ/FDP 2020-PR-008 / Westpark Corporate Center, L.L.C.

This memorandum includes citations from the Comprehensive Plan (Plan) and the Tysons Urban Design Guidelines (TUDG) that provide guidance for the evaluation of the subject Rezoning (RZ) and Final Development Plan (FDP) applications and draft proffers dated June 28, 2021, and replaces the signed memorandum dated June 16, 2021. The extent to which the application conforms to the applicable Plan guidance and recommendations in the TUDG is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable if they achieve the desired degree of mitigation and are compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The subject property, known as the Westpark Corporate Center, is located at the intersection of Westpark Drive and Leesburg Pike in the Tysons Urban Center. The applicant seeks to rezone 4.41 acres of the site from C-4 to the Planned Development Commercial (PDC) District and an FDP for the existing buildings to facilitate site improvements. The existing Highway Corridor Overlay District (HC) and Sign Control Overlay District (SC) will remain.

The site is currently developed with two mid-rise office buildings and support retail/service over structured parking, all of which is proposed to remain. The proposal includes 512,586 square feet of development within the two existing buildings at an overall FAR of 2.5; no increase in FAR is proposed with these applications.



LOCATION AND CHARACTER OF THE AREA

The application property is in the North subdistrict of the Tysons Central 7 District, as shown in the Tysons Urban Center section of the Plan, approximately halfway between the Greensboro and Spring Hill Metro Stations. The site to the north is part of an active application known as The Boro I-L (RZ 2020-PR-009), which is seeking rezoning to the PTC District. The Boro (RZ 2010-PR-022) and Westpark Plaza (RZ 2013-PR-009), both zoned PTC, are located to the east across Westpark Drive. A property with auto-oriented uses is located to the northwest. The site is bounded by Leesburg Pike to the south and Westpark Drive to the east.

Approximately half of the land within the subdistrict has been rezoned to PTC or has active PTC rezoning cases in process.

COMPREHENSIVE PLAN

The Comprehensive Plan Areawide and District Recommendations for Tysons may be accessed at: www.fairfaxcounty.gov/planning-development/sites/planning-development/files/compplan/area2/tysons.pdf

Plan text citations are also provided at the end of this report.

LAND USE ANALYSIS

The applicant is seeking to retain the existing uses on the subject property under the Comprehensive Plan Base Plan. The Plan describes:

“The North Subdistrict is envisioned to be a vibrant 24-hour mixed use center with residential, retail, and hospitality uses, as well as a high concentration of office space. ... The northwestern portions of both subdistricts provide connectivity to the Tysons West District by means of the grid of streets, which provides streets parallel to Leesburg Pike.”
(Page 139-140, Map 14).

Uses and Mix

The subject application is designated as Residential Mixed-Use land use category on the Plan’s Conceptual Land Use Map for Tysons (Page 23), which the Plan defines as follows (Page 24):

***Residential Mixed Use:** These areas are primarily planned for residential uses with a mix of other uses, including office, hotel, arts/civic, and supporting retail and services. These complementary uses should provide for the residents’ daily needs, such as shopping and services, recreation, schools and community interaction. It is anticipated that the residential component should be on the order of 75% or more of the total development.*

The application proposes up to 100% office and up to 25% retail/other. As described above, Tysons Central 7 is envisioned as a vibrant 24-hour area that provides a high concentration of office space in Tysons; to achieve this, a diversity in land use is needed. This application proposes to maintain the existing office uses, which helps achieve the vision. Although the

proposed use mix does not meet the Residential Mixed-Use recommendation of 75% or more residential, staff finds that the overall mix proposed, when considered alongside RZ 2020-PR-009, could help Tysons Central 7 move closer to meeting Plan goals. The proposed use mix is consistent with Plan recommendations in this context.

Implementation Framework

“The ability to achieve the vision requires appropriate regulatory mechanisms to implement the key land use and transportation elements of the vision. The Zoning Ordinance is the primary tool for implementing the planned mix of uses and intensities. To implement the vision, a new Tysons zoning district, Planned Tysons Corner Urban District (PTC), was adopted in 2010. Rezoning applications in Tysons for development proposals that utilize a redevelopment option must be submitted under this district. Modifications to proffered rezonings that were approved prior to the creation of the PTC District may be permitted under the existing zoning district if the proposed change does not increase intensity by 5% of the approved floor area, not to exceed 100,000 square feet.”
(Page 17-18)

This application is rezoning to PDC to enable the inclusion of land area in RZ 2020-PR-009, which facilitates the development of Broad Street across the two rezonings. As this application is facilitating a grid street and does not propose an increase in FAR, staff finds that the PDC district is appropriate.

Coordinated Development and Parcel Consolidation

The Comprehensive Plan’s consolidation guidance for the subject application is as follows (Tysons Central 7 North Subdistrict Recommendations, Page 145):

Logical and substantial parcel consolidation should be provided that results in well-designed projects that function efficiently on their own, include a grid of streets and public open space system, and integrate with and facilitate the redevelopment of other parcels in conformance with the Plan. In most cases, consolidation should be sufficient in size to permit redevelopment in several phases that are linked to the provision of public facilities and infrastructure and demonstrate attainment of critical Plan objectives such as TDM mode splits, green buildings, and affordable/workforce housing. If consolidation cannot be achieved, as an alternative, coordinated proffered development plans may be provided as indicated in the Areawide Land Use Recommendations

- *For the area north and west of Westpark Drive, consolidation should occur with property in the abutting Tysons West District.*

Additionally, the Plan sets five specific objectives for consolidations (Page 39):

In all cases, consolidations or coordinated development plans should meet the following objectives:

- *Commitment to a functioning grid of streets both on-site and off-site;*

- *Provision of parks and open space as set forth in the Environmental Stewardship section of the Areawide Recommendations, either on-site or within the subdistrict through a partnership;*
- *Provision of land and/or building space for public facilities as set forth in the Public Facilities section of the Areawide Recommendations;*
- *Conformance with the guidance in the Urban Design section and any urban design guidelines for the district or subdistrict; and*
- *Demonstration of how adjacent parcels could be redeveloped in a manner that is compatible with the proposal and in conformance with the Plan.*

While the subject property is approximately 4.41 acres, short of the consolidation recommendation of 20 acres, the site is neighbored by property pending rezoning to PTC as part of The Boro I-L application (RZ 2020-PR-009). The applicant has made commitments that help fully realize the Grid of Streets envisioned for this site and the subdistrict, including right-of-way dedication. The subject application is in general conformance with the Comprehensive Plan guidance for consolidation and coordinated development.

URBAN DESIGN ANALYSIS

Street Grid, Block Size, and Design

The Plan provides recommendations for both street grids (Pages 50-51, 106-107) and street cross sections (Pages 50-60).

A series of new public streets that help realize the planned Grid of Streets proposed through or around the application site. New public streets proposed include the extension of Broad Street and pedestrian improvements to a service street that provides additional connections to Route 7. The applicant has committed to provide the right-of-way necessary to construct their half-section of Broad Street, from Westpark Drive to Clover Street), which is identified as a critical link needed to serve all of Tysons Central 7 and Tysons West Districts. The proposed street will facilitate vehicular movement through and around the site and provide new pedestrian routes.

With the surrounding street connections and new street proposed, one block, separated by grid streets, is created. This block contains two buildings. The block meets the recommendations of the Plan (Page 51) and the TUDG that blocks be generally 400-600' in length. The new grid street, Broad Street, improves the walkability to and from this site to the nearby Metrorail stations and creates an urban scale block.

With the proposed improvements and commitments described above and included in the draft proffers, staff finds that the overall proposed street grid is in conformance with the Plan.

Streetscape Design

The Urban Design section of the Plan (Pages 104-120) and the TUDG provide detailed guidance on streetscapes in Tysons. Three streetscape zones – the landscape amenity panel, sidewalk, and building zone – are defined in the Plan and described in the TUDG. Each zone serves a distinct purpose and has varying dimensions based on the adjacent street type and land use.

While the applicant is providing streetscapes with zones as defined in the Plan, the dimensions provided for Broad Street in the CDP/FDP and the draft proffers conflict with each other. Provided that the proffers are revised to accommodate the details on Sheet C-09A, this issue is resolved.

The Tysons Community Circuit is located along Westpark Drive and incorporated into the streetscape. As stated in the Plan, *“The “Tysons Community Circuit” recreational trail loop as proposed along existing and planned roads will be a combined recreational and transportation feature that will add to the diversity of options available for moving through Tysons. The [Tysons Park System Concept Plan](#) describes features of and implementation strategies for “The Circuit” in greater detail.”*

The applicant has identified existing utilities within the landscape amenity panel along Westpark Drive that prevent the incorporation of street trees. Given that the Community Circuit is being implemented as a retrofit to an existing development that proposes only minor site enhancements, staff finds this condition acceptable. A key element of the Community Circuit is street and pedestrian lighting to create a safe, walkable urban environment. The applicant has committed to providing lighting upgrades. Staff appreciates the positive impact this addition has on the development proposal, including streetscape design, character, and safety. While the proposal for the Community Circuit is generally acceptable, the applicant should continue to refine the intersection design by incorporating pavers to demarcate the intersection and alert trail users to prepare to cross Broad Street and reflect this in the draft proffer commitments.

The interim pedestrian path proposed for Clover Street, a private street located along the western property line, is of concern to staff. The streetscape treatment, in combination with the street’s location and the wide and numerous vehicular access points, makes for an uninviting pedestrian environment. The TUDG describes interim pedestrian connectivity and streetscape design recommendations, understanding that development will be implemented over time. Given the constraints of the existing site, staff supports delineating the pedestrian path within the existing pavement; however, the proposed striping treatment is vehicular-oriented in character. While this service street is designed primarily to serve vehicles, it has been identified as a tertiary pedestrian corridor and should be safe and accessible. Staff suggests that the applicant provide clearly distinguishable pedestrian pathway demarcation through the use of changes in material color and/or texture. Staff appreciates the inclusion of a landscape panel rather than on-street parking for Westpark Corporate Center’s side of Clover Street, should the ultimate streetscape be implemented with an adjacent redevelopment. Staff encourages the applicant to commit to provide street trees within the landscape amenity panel to help the

character of the streetscape transition from a service alley to a local street with the ultimate streetscape implementation.

SUMMARY

The applications have made additional strides towards consistency with the Comprehensive Plan and Urban Design Guidelines recommendations. The applicant has committed to further refining the design details on these areas with future Site Plans:

- The Community Circuit intersection treatment
- The provision of trees with the ultimate streetscape for the Clover Street (private service street) extension

With the further commitments for these two items, staff finds the applications in conformance with Plan guidance.

COMPREHENSIVE PLAN CITATIONS

The Comprehensive Plan Areawide and District Recommendations for Tysons may be accessed at: www.fairfaxcounty.gov/planning-development/sites/planning-development/files/compplan/area2/tysons.pdf

The Fairfax County Comprehensive Plan, 2013 Edition, Area II, Tysons Urban Center, District Recommendations, as amended through February 23, 2021, on Pages 139-144, as applied to the application area, states the following:

TYSONS CENTRAL 7

Tysons Central 7 District has two subdistricts, separated by Leesburg Pike. The North Subdistrict is envisioned to be a vibrant 24-hour mixed use center with residential, retail, and hospitality uses, as well as a high concentration of office space. The South Subdistrict is envisioned as a civic center with a great public space and a significant new public building or buildings. The South Subdistrict will also include a mix of public, residential and commercial uses. The transformation in the South Subdistrict will be influenced by redevelopment that comes with the extension of Boone Boulevard. The northwestern portions of both subdistricts provide connectivity to the Tysons West District by means of the grid of streets, which provides streets parallel to Leesburg Pike.

Along Leesburg Pike, a transformed streetscape will create a wide tree-lined boulevard on either side of the at-grade Metro station. This redesign will result in a calming of traffic through this office area while maintaining the capacity of Leesburg Pike. The streets leading to and from Tysons Central 7 will be pedestrian-friendly, encouraging people to walk and bike and leading people to the civic center and the business areas of the district.

Guidance for evaluating development proposals in each subdistrict is contained in the Areawide Recommendations and the following subdistrict recommendations. Redevelopment

options are dependent on the degree to which necessary public infrastructure can be provided and Plan objectives and development conditions set forth in the Areawide and subdistrict guidance can be satisfied by development proposals.

NORTH SUBDISTRICT

The North Subdistrict is comprised of about 102 acres, and is generally bounded by Leesburg Pike on the west, International Drive on the north and east, and Chain Bridge Road on the south. This area contains the highest natural elevation in the county, which make its skyline visible from great distances. Office use is the predominant land use in the subdistrict. Two hotels are situated at opposite ends of the area, one on the east side and one on the west. In addition, a small number of freestanding retail uses are concentrated in the area adjacent to the Leesburg Pike/Chain Bridge Road interchange, which is also the location of a water tower and a U.S. Army Communications Tower. Since the tower has a strategic location near the highest point in Fairfax County, the communications tower function is expected to remain, although it is desirable that the tower itself be removed and its functions incorporated onto the top of a new building or buildings.

Base Plan

This area is planned for office with support retail and service uses at intensities up to 1.65 FAR. The exception is the area adjacent to the Leesburg Pike/Chain Bridge Road interchange, which is planned for and developed with retail uses and two existing public facilities (a communication tower and water tower).

TYSONS COMPREHENSIVE PLAN LAND USE CATEGORIES (Page 23): Residential Mixed-Use

cc. Katelyn Quinn, Staff Coordinator, ZED
Beth Elliott, Planner, UCS
UCS Files



FAIRFAX COUNTY PARK AUTHORITY



----- MEMORANDUM -----

TO: Tracy Strunk, Director
Zoning Evaluation Division
Department of Planning and Development

FROM: Andrea L. Dorlester, Development Review Section Chief
Park Planning Branch, PDD 

DATE May 24, 2021

SUBJECT: RZ/FDP 2020-PR-008, Westpark Corporate Center
Tax Map Numbers: 29-3 ((1)) 66A3, 66A4

The Park Authority staff has reviewed the proposed Conceptual Development Plan (CDP), Final Development Plan (FDP) and draft proffers dated April 14, 2021, for the above referenced application. This memorandum provides comments regarding impacts to park and recreation resources and levels of service of the proposed development.

BACKGROUND

The Development Plan shows existing office uses of about 512,000 square feet GFA to remain. Site and streetscape improvements are being proposed to provide for new grid streets, new streetscapes, bike lanes, a bus circulator lane, and a segment of the planned Tysons Community Circuit recreational trail loop.

COMPREHENSIVE PLAN GUIDANCE

The Park Authority analysis is based on the policies in the Parks and Recreation section of the Countywide Policy Plan, including Objective 2, Policies g, j, and k; Objective 5, Policies a and b; Objective 6, Policy c. and Appendix 2, Part B: Park Facility Service Level Standards. The evaluation is also based on guidance provided in the Tysons Areawide Parks and Recreation section of the Comprehensive Plan. Specific Plan citations from the Areawide text are provided in the Analysis and Recommendations sections.

Map 9, the Conceptual Parks and Open Space Network map (Tysons Urban Center Plan, Areawide Recommendations, p. 88) shows a Recreational Trail Loop that runs along Westpark Drive. Comprehensive Plan text states, "The 'Tysons Community Circuit' recreational trail loop as proposed along existing and planned roads will be a combined recreational and transportation feature that will add to the diversity of options available for moving through Tysons." (Tysons Urban Center Plan, Areawide Recommendations, p. 87)

ANALYSIS AND RECOMMENDATIONS

Park Authority staff is supportive of the proposed application as it will help to advance the Comprehensive Plan's goals for improved bicycle and pedestrian connectivity in Tysons and will implement a segment of the planned Tysons Community Circuit recreational trail loop.

Staff has no comments or concerns regarding the details of the proposed pedestrian and streetscape improvements as shown on the CDP/FDP.

FCPA Reviewer: Andrea Dorlester
DPD Coordinator: Katie Quinn

eCopy: Sara K. Baldwin, Acting Executive Director/COO
Aimee Vosper, Deputy Director/CBD
Stephanie Leedom, Director, Park Planning & Development Division
Anna Bentley, Manager, Park Planning Branch
Mary Ann Tsai, Branch Chief, Zoning Evaluation Division, DPD
Katie Quinn, Zoning Evaluation Division, DPD
Lynne Johnson, Planning Tech, Park Planning Branch
File Copy

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County of Fairfax, Virginia

MEMORANDUM

DATE: June 15, 2021

TO: Tracy Strunk, Director
Zoning Evaluation Division, DPD

FROM: Brittany Nixon, Transportation Planner III *BCN*
Site Analysis Section, FCDOT

SUBJECT: RZ/FDP 2020-PR-008 – Westpark Corporate Center, L.L.C.
Land Identification Maps: # 29-3 ((1)) 66A3 and 66A4

Site Location and Description

This department has reviewed the subject application including the Conceptual Development Plan (CDP), Final Development Plan (FDP), including draft proffers dated November 5, 2020, revised through April 14, 2021.

This application is located at the intersection of Leesburg Pike (Route 7) and Westpark Drive. The application property is comprised of approximately 4.41 acres and is currently developed with two existing office buildings and underground parking that is intended to remain. This property was zoned to the C-4 (High Intensity Office District), HC (Highway Corridor Overlay District) and SC (Sign Control Overlay District) several decades ago without proffers. The applicant seeks to rezone the application property to the Planned Development Commercial (PDC), HC, and SC Districts to allow its existing Gross Floor Area (GFA)/Floor Area Ratio (FAR) to continue to be in conformance with the Fairfax County Zoning Ordinance. The applicant seeks to continue the use of the property at a FAR of 2.50. No new development is requested with this application.

Proposed Improvements

The applicant has committed to the following improvements in conjunction with implementing the proposed CDP/FDP:

- Enhancements to the entire Broad Street frontage with the construction of streetscape elements (inclusive of an 8-foot landscape amenity panel and 6-foot sidewalk). The applicant also proposes to construct the Tysons-specific streetscape (inclusive of the 10-foot Tysons Community Circuit) along the Westpark Drive frontage to the existing 12-foot sidewalk along Leesburg Pike (constructed with the Dulles Rail Project).
- A 13-foot Circulator bus lane will be constructed along the applicant's entire Westpark Drive frontage which will provide curb access when the Circulator bus routes are implemented in the future. In the interim condition, this lane will serve as a parking lane.
- Striping a 5-foot pedestrian path along the existing private service alley to provide pedestrian access from Route 7 to the site and the adjacent Boro development Blocks.

Ms. Tracy Strunk, Director

June 15, 2021

Page 2 of 2

Outstanding Transportation Issues

There are two outstanding issues with this application related to County transportation waivers and the Private Service Alley offset with proposed Clover Street.

Waivers

The applicant should formally request waivers of the required streetscape and parking lane, per the Transportation Design Standards for the Tysons Corner Urban Center for their Broad Street, Westpark Drive, Private Service Alley, and Route 7 frontages. Since the applicant is not proposing additional development with this application, FCDOT would be supportive of such waivers.

Private Service Alley and Clover Street Offset

The existing Private Service Alley located along the west side of the site does not align with the alignment of the Clover Street segment proposed with RZ 2020-PR-009. This results in a 4-foot offset at the intersection of the Private Service Alley and Clover Street. Clover Street is identified as a local street in the Tysons Comprehensive Plan that will ultimately connect Greensboro Drive and Leesburg Pike. While staff recognized that the adjacent property to the west would need to redevelop in order to properly shift the road to align with future Clover Street, staff recommends as an interim condition minimizing the 4-foot offset by relocating the existing fire hydrant along the auto dealership property and shifting the road further to the west. This would make for a smoother transition through the intersection between the private alley and Clover Street.

CC: Katelyn Quinn, DPD-ZED

Marc L. Dreyfuss, AICP, Transportation Planner IV, FCDOT-SAS

Gregory Fuller Jr., Chief, FCDOT-SAS



County of Fairfax, Virginia

MEMORANDUM

DATE: June 8, 2021

TO: Tracy Strunk, AICP, Director
Zoning Evaluation Division, DPD

FROM: Kelly M. Atkinson, AICP, Chief *Kelly M. Atkinson*
Environment and Development Review Branch, DPD

SUBJECT: Comprehensive Plan Environment Analysis: RZ/FDP 2020-PR-008
Westpark Corporate Center, LLC

This memorandum, prepared by Corinne K. Bebek, includes citations from the Comprehensive Plan (“Plan”) that provide guidance for the evaluation of the subject rezoning (RZ) application and combined Conceptual/Final Development Plan (C/FDP) dated April 2, 2020, as revised through April 14, 2021, and draft proffers dated April 14, 2020ⁱ. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in conformance with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Westpark Corporate Center, LLC, is requesting a rezoning from the high intensity office C-4 District to the Planned Development Commercial (PDC) District with no new development proposed. The only improvements include construction of Broad Street along the property’s eastern boundary, in addition to improvements to the Westpark Drive frontage and on-site private alley.

The subject property and a portion of the adjacent TMG 8400 Westpark Drive L.P. property were zoned several decades ago without proffers to the C-4 District to permit office and associated development at a maximum Floor Area Ratio (FAR) of 1.65. Based on previous subdivision approvals and recorded agreements, the subject property, and a portion of the adjacent TMG 8400 Westpark Drive property were considered as a single unit for the purpose of intensity compliance with the Fairfax County Zoning Ordinance. Without this consideration, the subject property would exceed the maximum 1.65 FAR allowed in the C-4 District.



A concurrent rezoning application (RZ 2020-PR-009) has been filed on the TMG 8400 Westpark Drive L.P. property to remove this land area from the C-4 District. With the removal of the TMG 8400 Westpark Drive land area, a rezoning of the subject property is necessary to ensure the existing gross floor area/floor area ratio (GFA/FAR) on the site will be in conformance with the Zoning Ordinance independent of the adjacent property.

LOCATION AND CHARACTER

The approximately 4.41-acre site is zoned C-4, located in the Highway Corridor (HC) and Sign Control (SC) Overlay Districts, and located on Tax Map Parcels 29-3 ((1)) 66A3 and 66A4 within the Tysons Central 7 District of the Tysons Urban Center. The site is currently developed with two office buildings which were constructed in 1999 and 2000. The subject property is situated between the Spring Hill Metro Station and the Greensboro Metro Station and is bordered by a vehicle sales and service establishment to the north, the proposed TMG 8400 Westpark Drive rezoning to the east, Westpark Drive to the south, and by Route 7 to the west. The previously approved Westpark Plaza and The Boro developments are located to the south, across Westpark Drive from the subject property. The subject property is in the Difficult Run watershed and does not contain Resource Protection Area (RPA) or Environmental Quality Corridor (EQC).

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities. Analysis for this application addresses the overall FDP and draft proffers for the subject property.

Stormwater Management

The Tysons Comprehensive Plan provides specific guidance for managing runoff for new and redevelopment with the Tysons Urban Center by meeting the Public Facilities Manual (PFM) standards, the most current LEED stormwater related credit, and retaining the first (1) inch of rainfall on-site. The applicant is proposing to reduce the overall impervious surface on the subject property by approximately 562-square-feet and has indicated that water quantity and quality will continue to be treated through the existing on-site underground vaults and filters. Additionally, the applicant has provided a commitment that bioretention tree pits will be provided as part of the Broad Street streetscape improvements to further address stormwater management goals. The applicant has not provided computations that show the retention achieved by the existing stormwater management vaults, filters, and proposed bioretention pits.

As noted above, the Tysons Comprehensive Plan recommends any new development or redevelopment retain the first inch of rainfall on site. Most new development in Tysons implements the Comprehensive Plan by pursuing a rezoning to the Planned Tysons Corner

Urban (PTC) District; this application is not. While staff acknowledges that the property is not being rezoned to the PTC District and limited changes to the existing site are proposed with a slight reduction in impervious area, staff continues to recommend that the applicant retain the first inch of rainfall on-site to the maximum extent practicable to better address the Tysons Comprehensive Plan guidance. Final determination regarding the adequacy of the proposed stormwater management methods and techniques will be made by Land Development Services (LDS).

CONCLUSION

Staff finds the proposal is generally consistent with Comprehensive Plan environmental guidance for this area but continues to encourage the applicant to retain the first inch of rainfall on-site to the maximum extent practicable.

COMPREHENSIVE PLAN CITATIONS

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

Fairfax County Comprehensive Plan, 2017 Edition, Tysons Urban Center, Areawide
Recommendations: Environmental Stewardship, Amended through April 4, 2017, pages 79-80:

“STORMWATER MANAGEMENT

...

Stormwater Design

Environmentally-friendly stormwater design should be an integral design principle of the conceptual stage of site development for all redevelopment, recognizing that stormwater management measures may be phased with development. The stormwater design should first seek to minimize the effect of impervious cover, followed by the application of stormwater reuse, retention, detention, extended filtration and, where soils and infrastructure allow, infiltration to improve downstream waters. The incorporation of stormwater management strategies in parks and other open space areas within or adjacent to Tysons may also support this approach while providing recreational amenities.

Coordination of stormwater management controls among multiple development sites may also be effective in achieving stormwater management goals in an efficient manner...

Redevelopment projects in Tysons should incorporate innovative stormwater management measures in a manner that will, first and foremost, optimize reduction of stormwater runoff volume and control of peak flows for the remaining stormwater that cannot be completely captured on-site.

The following guidelines are recommended for applications for which a significant increase in density/intensity is proposed (e.g., a redevelopment option is being pursued) and are intended to improve stormwater management controls sufficiently to allow for improvements to the habitat and recreational values of streams in Tysons through natural restorative processes and/or through restoration projects:

- Stormwater quantity and quality control measures should be provided with the goal of reducing the total runoff volume and/or significantly delaying its entry into the stream system. The emphasis should be on Low Impact Development (LID) techniques that evapotranspire water, filter water through vegetation and/or soil, return water into the ground, or reuse it.
- LID techniques of stormwater management should also be incorporated into new and redesigned streets where allowed and practicable.
- At a minimum, the first inch of rainfall should be retained on-site through infiltration, evapotranspiration and/or reuse. If, on a given site, the retention on-site of the first inch of rainfall is demonstrated not to be fully achievable, all available measures should be implemented to the extent practical in order to support this goal and achieve partial retention of the first inch of rainfall.
- At a minimum, stormwater management measures that are sufficient to attain the stormwater-related credit(s) of the most current version of the LEED-NC or LEED-CS rating system [or the equivalent of the credit(s)] should be provided. If, on a given site, the attainment of the stormwater design LEED credits (or equivalent) is demonstrated not to be fully achievable, all available measures should be implemented to the extent practical in support of this goal.
- Equivalent approaches may incorporate coordinated stormwater management on multiple development sites and/or off-site controls. Additional stormwater management efforts should be encouraged.
- Restoration and/or stabilization of degraded streams on development sites should be pursued as identified in the District Recommendations; restoration and stabilization techniques that incorporate ecologically and aesthetically beneficial, vegetated approaches are preferred. Off-site efforts to restore and/or stabilize streams in Tysons should also be encouraged.”

Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, Amended through December 3, 2019, pages 7-11:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas.”

KMA:CKB

ⁱ Staff notes that the April 14, 2020 date is a mistype and should read April 14, 2021.



County of Fairfax, Virginia

MEMORANDUM

DATE: August 18, 2021

TO: Katelyn Quinn, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Development

FROM: Bin Zhang, P.E., *Bin Zhang*
Engineer IV, Central Branch
Site Development and Inspection Division (SDID)
Land Development Services (LDS)

SUBJECT: Zoning Application #RZ/FDP 2020-PR-008
LDS Project #1970-ZONA-002-5
Westpark Corporate Center; CDP/FDP dated August 12, 2021.
Tax Map #029-3 ((1)) 66A3 & 66A4;
Difficult Run Watershed; Providence District

The subject application has been reviewed and the following stormwater management comments are offered at this time:

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on the project property.

Floodplain

There is no regulated floodplain on the project property.

Downstream Drainage Complaints

There is no contemporary downstream drainage complaint on file.

Stormwater Quality

Water quality controls are required for this project per the Stormwater Management Ordinance (SWMO), County Code Chapter 124, at sections 124-1-6, 124-5-2, and 124-5-4. The Best Management Practice (BMP) Narrative indicates that the proposed project's required phosphorous reduction will be achieved via the existing onsite underground sand filters and vaults. The applicant provided preliminary analysis demonstrating that the original design assumption (C=0.70) has not been exceeded. In addition, a preliminary Virginia Runoff Reduction Method (VRRM) analysis has been provided in accordance with 124-4-2 to identify the initial phosphorus reduction requirement for the project, and to demonstrate and support the



design engineer's expectation of SWMO compliance. Calculation and design details will be reviewed at the final design/site plan stage.

Stormwater Quantity

Water quantity controls for stormwater detention are required for this project per SWMO 124-1-6, 124-4-4.D. The Stormwater Management (SWM) Narrative indicates that the proposed project's detention requirements will be achieved via the existing onsite detention vaults. The impervious area within the limit of disturbance decreases with this project. Calculation and design details will be reviewed at the final design/site plan stage.

Stormwater Quantity - Outfalls

Water quantity controls for outfall channel and flood protection are required for this project per SWMO 124-1-6, 124-4-4.B, and 124-4-4.C. The Outfall Narrative states the site has one outfall that drains to Old Courthouse Spring Branch through a series of underground pipes. The design engineer has provided an opinion that adequate outfall requirements will be met. The outfall analysis calculations and details will be reviewed at the final design/site plan stage.

Tysons Corner Urban Center, Areawide Recommendations

While the property is not being rezoned to PTC, staff recommend the applicant to achieve the 1" retention goal of Tysons to the extent practicable. Provide a computation to demonstrate retention achieved by the existing facilities and propose urban bioretention tree pits along Broad Street to treat roadway runoff.

Watershed Management Plans

This site is located within the Difficult Run Watershed and the Old Courthouse Spring Branch Water Management Area. The site is upstream of an ongoing Stream Restoration (DF82-0005) along Old Courthouse Spring Branch of about 3,200 linear feet. The applicant's project should have little to no impact on the County projects.

Dam Breach

The project property is not located within a dam breach inundation zone.

Other Comments:

With respect to the preliminary design information that is shown on the CDP/FDP, LDS offers the following additional comments:

1. Sheet C-03. PFM Waivers and Modifications Requested.

PFM 7-0602.2 (structure column projection)	May be requested at final site plan if necessary. The applicant could also opt-in to PTC parking rates the reduce the minimum required parking spaces.
---	--

2. Sheet C-15. The existing sand filter (v2) is providing water quality and quantity treatment for 1.25 ac of offsite runoff to satisfy the stormwater requirements for the parcel (#1220-SP-003). An equivalent amount of offsite area should be diverted to the facility after development to maintain the same level of phosphorus removal. The applicant has stated that final drainage design will be provided with final site plan.

Miscellaneous

The stormwater management plan to be prepared at final design must address all of the items listed in SWMO 124-2-7.B.

The latest BMP specifications provided on the Virginia Stormwater BMP Clearinghouse website, in addition to the Public Facilities Manual, must be used for final design. The design engineer is also referred to LTI 14-13 with regard to the selection of appropriate BMPs.

Please contact me at 703-324-1720 or bin.zhang@fairfaxcounty.gov, if you have any questions or require additional information.

cc: Shannon Curtis, Chief, Watershed Assessment Branch, Stormwater Planning Division (SWPD), Department of Public Works and Environmental Services (DPWES)
Dipmani Kumar, Chief, Watershed Planning and Evaluation Branch, Stormwater Planning Division SWPD, DPWES
Jeff Vish, Chief, Central Branch, SDID, LDS
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: July 22, 2021

TO: Katie Quinn, Staff Coordinator
Zoning Evaluation Division, DPD

FROM: Jay Banks, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Westpark Corporate Center, RZ/FDP 2020-PR-008

The following comment is based on a review of the above referenced RZ/FDP plan set and Statement of Justification both dated June 28, 2021.

1. **Comment:** Urban Forest Management Division (UFMD) has no further comments on the application. UFMD staff will address any finer details when final engineering and design has been established at Site Plan.

If further assistance is desired, please contact me at 703-324-1770.

JSB/

UFMDID #: 283040



8560 Arlington Boulevard, Fairfax, Virginia 22031

PLANNING & ENGINEERING DIVISION
Nat Atapoor, P.E., CCM
Director
(703) 289-6325

July 20, 2020

Ms. Tracy D. Strunk, AICP
Director, Zoning Evaluation Division
Fairfax County Department of Planning and Development
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ/FDP 2020-PR-008, Con W/RZ 2020-
PR-009
Westpark Corporate Center, L.L.C
Tax Map: 29-3

Dear Ms. Strunk:

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

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available from existing 12-inch water mains in Westpark Drive and Greensboro Drive. Please see the enclosed water system map.
3. The existing water main loop through the 8333 Greensboro Drive property shall be replaced/maintained with the proposed development. Please see enclosed plan markup.
4. Depending on the configuration of any proposed on-site water mains, additional water main extensions may be required to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Ross Stilling, P.E., Chief, Site Plan Review at (703) 289-6385.

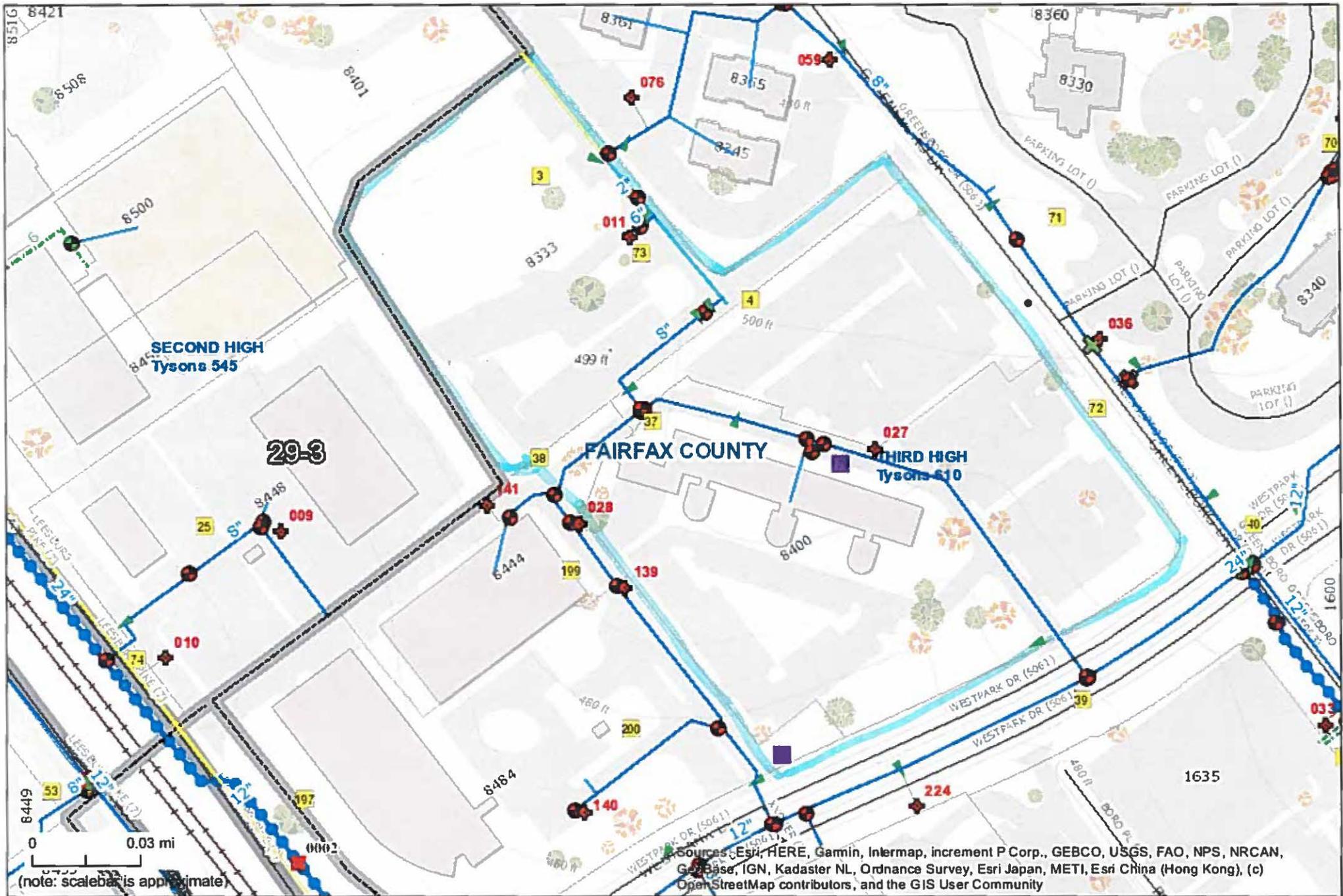
Sincerely,



Gregory J. Prelewicz, P.E.
Manager, Planning

Enclosure

Fairfax Water GIS





County of Fairfax, Virginia

MEMORANDUM

DATE: August 30, 2021

TO: Katelyn Quinn
Zoning Evaluation Division
Department of Planning and Development

FROM: Sharad Regmi, P.E.
Engineering Analysis and Planning Branch, Wastewater Management, DPWES

SUBJECT: Sanitary Sewer Analysis Report

REF: **Application No.: RZ/FDP 2020-PR-008,**
Westpark Corporate Center
Tax Map No.: 29-3 ((1)) 66A3, 66A4
8400 Westpark Drive, Tysons, VA 22102

Proposed application is for 502,586 square feet of office use and 10,000 square ft of restaurant use for two existing buildings which has a total of 512, 586 square feet gross floor area.

The Applicant has conducted a preliminary capacity analysis for the Westpark Corporate Center. Based on capacity analysis, existing sanitary sewers have the capacity to serve the proposed use for the existing two buildings.

To ensure that at the time of Site Plan submission, the existing sanitary sewers are adequate for the proposed use, applicant needs to provide final sewer capacity study to Wastewater Planning and Monitoring Division (WPMD) to evaluate if the existing sanitary sewers have the capacity to serve the proposed use of the Site Plan. As part of the evaluation, applicant needs to first determine (i) if there is any sanitary sewer capacity issue for the proposed use; and (ii) secondly if there is a sanitary sewer capacity issue, determine downstream extent of impact and propose the upgrade.

If you have any questions or comments, please do not hesitate to contact me at 703-324-5008.



APPLICABLE ZONING ORDINANCE PROVISIONS

2105.4.A Purpose

The PDC District encourages the innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density or intensity land uses which if not strictly controlled as to location and design in accordance with the Comprehensive Plan recommendations could produce detrimental effects on neighboring properties. The district regulations are further intended to:

- (1) Insure high standards in the mix of uses, lay-out, design and construction of commercial developments;
- (2) Include unique design elements and amenities;
- (3) Encourage lot consolidation and the use of Transportation Demand Management techniques; and
- (4) Otherwise to implement the stated purpose and intent of this Ordinance.

Rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with subsection 8100.2.E

2105.1.C General Standards

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

- (1) The planned development must substantially conform to the Comprehensive Plan with respect to type, character, intensity of use, and public facilities. Planned developments may not exceed the density or intensity permitted by the Comprehensive Plan, including any permitted density or intensity bonus provisions.
- (2) The planned development must be of designed to achieve the stated purpose of the planned development district more than would development under a conventional zoning district.
- (3) The planned development must, to the extent possible, protect, preserve, and restore natural ecosystem components, including trees, meadows, streams, topographic features, and healthy soils, and heritage resources.
- (4) The planned development must be designed to prevent adverse impact to the use and value of existing surrounding development and may not deter or impede development of surrounding undeveloped properties in accordance with the Comprehensive Plan.
- (5) The planned development must be located in an area in which existing or planned transportation, police and fire protection, other public facilities, and public utilities will be available and adequate for the uses proposed. The applicant may provide for those facilities or utilities which are not presently available.

- (6) The planned development must 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.

2105.1.D Design Standards

It is the intent to allow flexibility in the design of all planned developments. The following design standards apply in the review of rezoning applications, development plans, site plans, and subdivision plats:

- (1) Other than those regulations specifically listed for a particular planned district, the open space, off-street parking, loading, sign, and all other similar regulations in this Ordinance will generally apply to all planned developments.
- (2) Streets and driveways must generally conform to the provisions in this Ordinance and all other applicable County ordinances and regulations. Where applicable, street systems must afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks must be coordinated access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. (
- (3) In order to complement and prevent adverse impacts to development on adjacent properties, the bulk regulations of the proposed planned development must generally conform to those of the conventional zoning district that is most similar to the proposed P District development at the following boundaries:
 - (a) In the PDH, PRM, PDC, PRC, and PCC Districts, at all peripheral boundaries;
 - (b) In the PDC, PRM, or PCC Districts when located within a CRD or in an area designated as a Community Business Center, Commercial Revitalization Area, or Transit Station Area in the Comprehensive Plan, only at the periphery of the CRD or other designated area; or
 - (c) In the PTC District, only at the periphery of the Tysons Urban Center in the Comprehensive Plan.

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.

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.

ACCESSORY LIVING 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.

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
DPD	Department of Planning and Development	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	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, DPD
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPD
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch, DPD
PD	Planning Division		
PDC	Planned Development Commercial		