

**NOMINATION FORM**

TYPE OR PRINT RESPONSES IN BLACK INK

Incomplete forms will not be accepted for review and will be returned to the nominator. Staff reserves the right to correct errors in street address, tax map number, acreage or current Plan designation. Be sure to attach required map and original certified mail receipts as proof of property owner notification.

**PART 1. NOMINATOR/AGENT INFORMATION**

Name: Keith C. Martin, Agent for Brenizer Properties, LLC Daytime Phone: 703-890-1090  
Address: 2911 Hunter Mill Road  
Oakton, Virginia 22124

Nominator E-mail Address: kcm@sacklaw.com

Signature of Nominator (NOTE: There can be only one nominator per nomination):  
*Keith C. Martin*

Signature of Owner(s) if applicable: (NOTE: Attach an additional sheet if necessary. Each owner of a nominated parcel must either sign the nomination or be sent a certified letter.)  
*Richard Wolff*

by: Richard Wolff, President and Managing Member, Brenizer Properties LLC  
Anyone signing on behalf of a business entity must state the relationship to that organization below or on an attached page.  
for George H. Rucker Realty Corporation

THIS BOX FOR STAFF USE ONLY

Date Received: 5/13/08

Date Accepted: 7/21/08 JBA

Planning District: \_\_\_\_\_

Special Area: \_\_\_\_\_

**PART 2. GENERAL INFORMATION**

Check appropriate supervisor district:  Dranesville  Hunter Mill  Providence  Sully

Total number of parcels nominated: 2

Total aggregate size of all nominated parcels (in acres and square feet): 4.56 acres 198,606 square feet

Is the nomination a Neighborhood Consolidation Proposal?  Yes  No

Are you aware that proposals that generate more than 5,000 vehicle trips per day over the current adopted Comprehensive Plan will trigger additional VDOT review? (See pages 8-9 for more information.)  Yes  No

**PART 3: PROPERTY INFORMATION** – Attach either the Property information Table found at the end of this application form or a separate 8½ x 11 page (landscape format) identifying all the nominated parcels utilizing the format as shown in the Table found at the end of this application.

All subject property owners must be sent written notice of the nomination by certified mail unless their signature(s) appears in Part 1 (above).

**IMPORTANT NOTE:** Any nomination submitted without originals or copies of all the postmarked certified mail receipt(s) and copies of each notification letter and map will not be accepted.

**PART 4: CURRENT AND PROPOSED COMPREHENSIVE PLAN AND ZONING DESIGNATIONS**

See Section IV of the APR Guide for instructions.

a. CURRENT COMPREHENSIVE PLAN TEXT for nominated property: Use the Plan on the Web ([www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)) for your citation. It is the most current version: Sub-Unit C7 planned and developed primarily with warehouse

and industrial uses...at current intensities.

b. CURRENT PLAN MAP DESIGNATION: Industrial

c. CURRENT ZONING DESIGNATION: ~~I-1~~/I-5

d. PROPOSED COMPREHENSIVE PLAN DESIGNATION: (NOTE: The proposal you submit with your nomination is the proposal that is to be presented to the task force and will be the subject of their consideration and vote). Mixed Use (office, retail, multi-family residential) up to a 2.0 FAR

e. DESCRIBE what development under the new plan would look like. (What uses? Type of buildings? Building heights? Surface or structured parking? Typical unit size?) Mid-rise office with ground floor retail and midrise multi-family residential all served with structured parking.

f. NON-RESIDENTIAL: Check the appropriate use  Office  Retail  Government/Institutional  
 Industrial  Open Space  
 Mixed Use (specify uses in table)

g. TOTAL Floor Area Ratio (FAR) Proposed: 2.0 TOTAL Gross Square Feet: 397,000

Categories	Percent of Total FAR	Square feet
Office	45%	178,650
Retail	10%	39,700
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
Industrial		
Residential*	45%	178,650
<b>TOTAL</b>	<b>100%</b>	<b>397,000</b>

\*If residential is a component, provide the approximate number and size of each type of dwelling unit proposed in the chart below based on the approximate square footage.

h. RESIDENTIAL COMPONENT (Circle the appropriate density range proposed and complete the table to the right):

- |                                |                                     |
|--------------------------------|-------------------------------------|
| .1 - .2 du/ac (5-10 acre lots) | 5 - 8 du/ac                         |
| .2 - .5 du/ac (2-5 acre lots)  | 8 - 12 du/ac                        |
| .5 - 1 du/ac (1 - 2 acre lots) | 12 - 16 du/ac                       |
| 1 - 2 du/ac                    | 16 - 20 du/ac                       |
| 2 - 3 du/ac                    | 20+ (specify 10 unit density range) |
| 3 - 4 du/ac                    | _____                               |
| 4 - 5 du/ac                    | _____                               |

Residential Unit Types			
Unit Type	Number of Units	Unit Size (sq ft)	Total Square Feet
Single Family Detached			
Townhouse			
Low-Rise Multifamily (1-4 stories)			
* Mid-Rise Multifamily (5-8 stories)	200	890	178,650
High-Rise Multifamily (9 + stories)			
			178,650

**PART 5: MAP OF SUBJECT PROPERTY**

Attach a map clearly outlining in black ink the property of the proposed Plan amendment. The map must be no larger than 8½ x 11 inches and clearly legible. Maps in color will not be accepted.

**PART 6: JUSTIFICATION**

Each nomination must conform to the Policy Plan and must meet at least one of the following guidelines. Check the appropriate box and provide a written justification that explains why your nomination should be considered, based on the guidelines below (two-page limit).

- The proposal would better achieve the Plan objectives than what is currently in the adopted Plan.
- There are oversights or land use related inequities in the adopted Plan that affect the area of concern.

***All completed nomination forms must be submitted between May 1, 2008 and June 27, 2008 to:***



Fairfax County Planning Commission Office  
Government Center Building  
12000 Government Center Parkway, Suite 330  
Fairfax, Virginia 22035-5505



SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810  
8270 GREENSBORO DRIVE  
MCLEAN, VIRGINIA 22102  
TELEPHONE (703) 883-0102  
FACSIMILE (703) 883-0108

RECEIVED

MAY 13 2008

May 5, 2008

FAIRFAX COUNTY  
PLANNING COMMISSION

Sara Robin Hardy  
Planning Commission Office  
12000 Government Center Parkway, Suite 330  
Fairfax, VA 22035

Re: 2008-2009 North County Area Plan Review(APR)  
TAX MAP 49-1 ((13)) 31 and 32  
Brenizer Properties, LLC

Dear Ms. Hardy,

The following is a Part 6 Justification for the above referenced APR nomination. It is submitted that the nomination conforms to the Policy Plan and meets the guideline that the proposal would better achieve the Plan Objectives than what is currently in the adopted Plan. The 4.56 acre parcel in zoned I-5 and is located in Sub-Unit C-7 of the Merrifield Suburban Center. The Plan currently recommends that the property be developed with warehouses and industrial uses at current intensities.

Mixed use development would better achieve Plan goals for this area of Merrifield. The property is located across Lee Highway from the Town Center development. A mixed use development would create a better gateway heading east toward the Town Center. The proposed office and residential components would provide additional jobs and residents to compliment the 24 hour activity planned for the Town Center. Furthermore, a mixed use development would be transit oriented on the north side of Lee Highway with direct access to the Dunn Loring-Merrifield transit station via Merrilee Drive and Dorr Avenue. A majority of Sub-Unit C is already planned for mixed use, so industrial use will become out of place in this redeveloping area.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

cc: Richard Wolff

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A Planity Company, Computer Publications

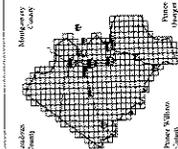


Map Date: 07-27-2008  
Map Scale: 1" = 100' (30.48m)  
Map Projection: UTM  
Map Datum: NAD 83  
Map Contour Interval: 5' (1.52m)  
Map Contour Elevation: 100' (30.48m)  
Map Contour Interval: 5' (1.52m)  
Map Contour Elevation: 100' (30.48m)

**GENERAL NOTES**

1. This map is a computer-generated map of the City of Anaheim, California, and is not a legal document. It is intended for informational purposes only. The City of Anaheim is not responsible for any errors or omissions on this map. The City of Anaheim is not responsible for any damages, including consequential damages, arising from the use of this map. The City of Anaheim is not responsible for any claims, including consequential claims, arising from the use of this map. The City of Anaheim is not responsible for any losses, including consequential losses, arising from the use of this map. The City of Anaheim is not responsible for any injuries, including consequential injuries, arising from the use of this map. The City of Anaheim is not responsible for any deaths, including consequential deaths, arising from the use of this map.

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**ADMINISTRATIVE JURISDICTION**

39-4	39-3	39-4
48-2	49-2	49-2
48-4	49-3	49-4

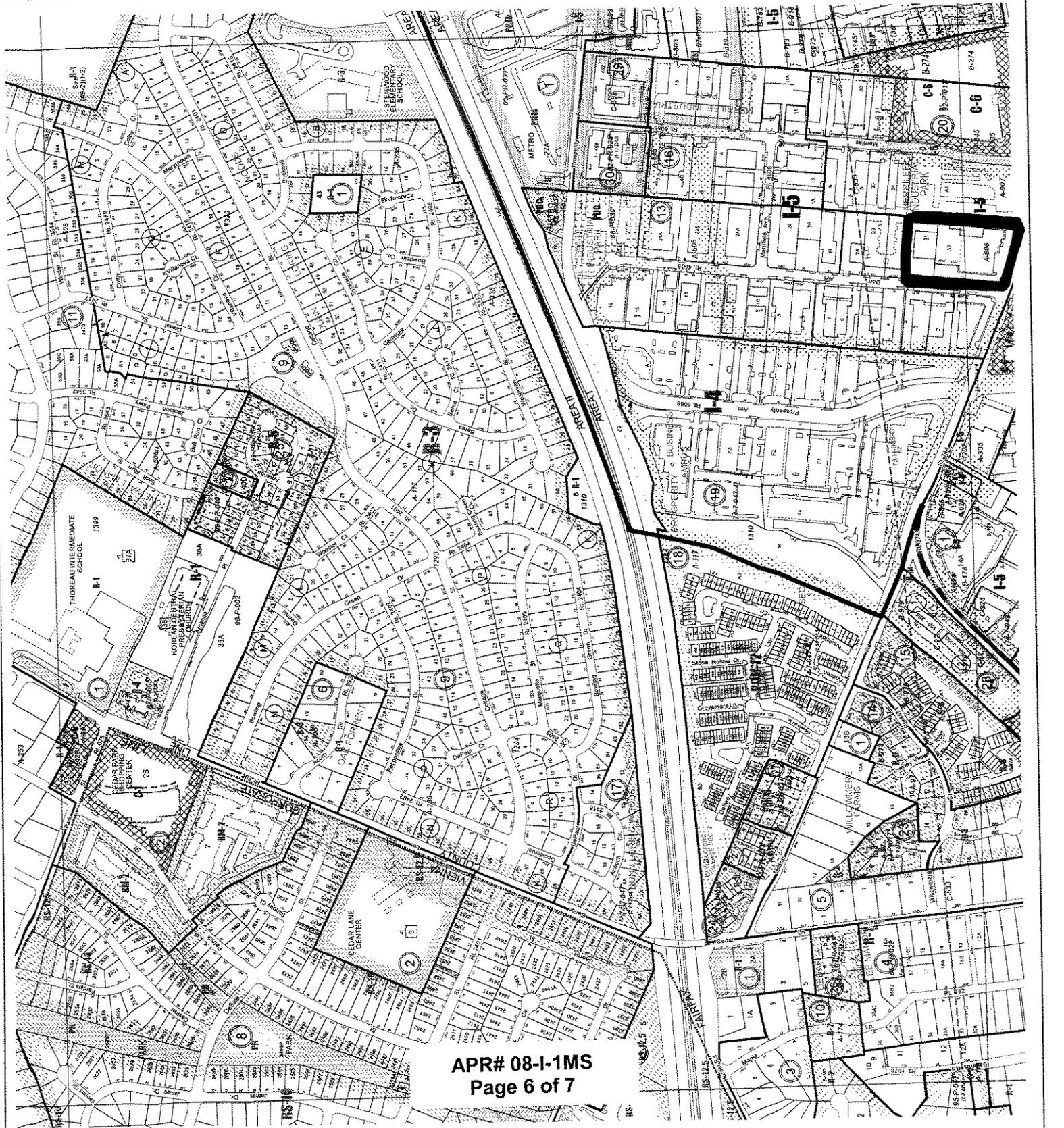
**SHEET INDEX**

**PROPERTY MAP ZONING 49-1**

Revised to: 01-01-2008

Prepared by:  
City of Anaheim, California  
Department of Planning and Community Development  
12000 Wilshire Blvd., Suite 117  
Anaheim, CA 92802  
Phone: (714) 771-1111  
Fax: (714) 771-1111

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2008-01-01-001



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**Rybold, Kimberly M.**

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**From:** Keith C. Martin [kcm@sacklaw.com]  
**Sent:** Tuesday, August 05, 2008 9:29 AM  
**To:** Rybold, Kimberly M.  
**Subject:** RE: North County APR Nomination-Dorr Ave.

I concur, please make those changes- thank you.

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**From:** Rybold, Kimberly M. [mailto:Kimberly.Rybold@fairfaxcounty.gov]  
**Sent:** Monday, August 04, 2008 3:33 PM  
**To:** Keith C. Martin  
**Subject:** North County APR Nomination-Dorr Ave.

Keith C. Martin  
 Agent for Brenizer Properties, LLC  
 2911 Hunter Mill Road  
 Oakton, VA 22124

RE: North County APR Nomination: 4.56 acres in the Merrifield Suburban Center, portion of Sub-Unit C7

Dear Mr. Martin:

The purpose of this e-mail (a copy of which will be retained for the record) is to formally advise you that the above referenced North County APR Nomination, assigned a temporary ID number of PC-2008-001, has been received by the Department of Planning and Zoning. I have reviewed the nomination as to its compliance with the submission requirements as set forth in the *2008-2009 North County Area Plans Review Guide* and have the following concerns:

- In Part 4c: Current Zoning Designation, you have listed I-4 and I-5 as the current zoning designation. The zoning map indicates that both parcels are zoned I-5, not I-4.
- In Part 3: Property Information Table, you have indicated a parcel size of 3.55 acres for parcel 49-1 ((13)) 31 and 1.1 acres for parcel 49-1 ((13)) 32. According to DTA records, it seems that the acreages for these parcels have been switched. Additionally, parcel 49-1 ((13)) 31 has an acreage of 1.01 acres, not 1.1 acres. Please respond to the email if you concur with my observations and I will make the corrections on your nomination.

**Please confirm that this is your understanding by August 11, 2008. Failure to do so may cause the nomination to be rejected.**

I am the Department of Planning and Zoning staff member assigned to review your nomination for technical compliance with the application. Please address your response or questions to me at [kimberly.rybold@fairfaxcounty.gov](mailto:kimberly.rybold@fairfaxcounty.gov).

Sincerely,

**Kimberly M. Rybold**  
 Fairfax County Department of Planning & Zoning  
 Planning Division  
 12055 Government Center Pkwy, Suite 730  
 Fairfax, Virginia 22035  
 703.324.1363 (office)  
 703.324.3056 (fax)

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8/5/2008