

PLAN
AMENDMENT
S08-III-FC1



2008-2009 NORTH COUNTY AREA PLANS REVIEW GUIDE

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 Daytime Phone: 703-883-0102

Address: Sack Harris & Martin, P.C., 8270 Greensboro Drive, Suite 810, McLean, VA 22102

Nominator E-mail Address: kcm@sacklaw.com

Signature of Nominator (NOTE: There can be only one nominator per nomination):

THIS BOX FOR STAFF USE ONLY	
Date Received:	<u>STPA authorized</u> <u>by BOS on 4-28-08</u>
Date Accepted:	<u>NA</u>
Planning District:	_____
Special Area:	_____

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.) _____

Anyone signing on behalf of a business entity must state the relationship to that organization below or on an attached page.

PART 2. GENERAL INFORMATION

Check appropriate supervisor district: Dranesville Hunter Mill Providence Sully

Total number of parcels nominated: 3

Total aggregate size of all nominated parcels (in acres and square feet): 28.05 acres 1,224,858 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/) for your citation. It is the most current version: This sub-unit is planned for low intensity office, retail and

institutional use not to exceed .25 FAR at the overlay level.

b. CURRENT PLAN MAP DESIGNATION: Fairfax Center Area

c. CURRENT ZONING DESIGNATION: PDC **S08-III-FC1**
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Continued

NOMINATION FORM

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). Change 90,000 sf of office to Affordable Elderly Housing.

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?) 3 story multifamily style housing

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: .25 TOTAL Gross Square Feet: 305,500 S.F.

Categories	Percent of Total FAR	Square feet
Office	28%	85,500
Retail	32%	100,000
Public Facility, Govt & Institutional	10%	30,000
Private Recreation/Open Space		
Industrial		
Residential*	30%	90,000
TOTAL	100%	305,500

*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)	100	900	90,000
Mid-Rise Multifamily (5-8 stories)			
High-Rise Multifamily (9 + stories)			
TOTAL:			

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

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

2007 NOV 30 PM 2:44

CLERK OF COURT
FAIRFAX COUNTY, VA

IN RE: Light Global Mission Church

CASE NO. Ch-2007-14690

ORDER

THIS DAY CAME Light Global Mission Church ("Petitioner") by counsel, and petitioned this Court to appoint **SEKYU CHANG, YONG HYUN KIM** and **SU CHANG KIM**, as Trustees in accordance with Va. Code Ann. § 57-8.

UPON CONSIDERATION WHEREOF, it appearing that at meeting of the Congregation of Petitioner, **SEKYU CHANG, YONG HYUN KIM** and **SU CHANG KIM** have been elected to serve as Trustees, and that it is the desire of the Congregation that the appointments be now confirmed by this Court; it is hereby

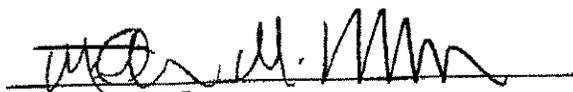
ADJUDGED, ORDERED and DECREED that **SEKYU CHANG, YONG HYUN KIM** and **SU CHANG KIM** are hereby appointed Trustees of said Petitioner with all the duties and powers and subject to all the responsibilities conferred on trustees by the laws of the Commonwealth of Virginia.

ENTERED this 7 day of December, 2007.

Jon Nuy

JUDGE

I ask for this:

A handwritten signature in black ink, appearing to read "Matthew M. Moore", is written over a horizontal line.

Matthew M. Moore
Virginia Bar No. 44953
Shulman, Rogers, Gandal, Porady & Ecker, P.A.
11921 Rockville Pike
Rockville, Maryland 20852
(301) 230-5200
Counsel to Petitioner

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SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

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

April 28, 2008

Ms. Sara Robin Hardy
Fairfax County Planning Commission
12000 Government Center Parkway
Suite 330
Fairfax, Virginia 22035

Re: 2008-2009 North County Area Plans Review Nomination for
Out of Turn Plan Amendment on Tax Map 46-3(~~17~~)15A-1, 15A-2 and 15A-3
Nominator: Trustees of Light Global Mission Church (C 15)

Dear Ms. Hardy:

On April 28, 2008, the Board of Supervisors directed the Department of Planning and Zoning to prepare an Out-of-Turn Plan Amendment to include affordable elderly housing as an optional use in the mix of uses in Sub Unit A5 of the Fairfax Center Area. The Board further directed that the amendment be considered with the 2008-2009 North County APR cycle. The land area is otherwise excluded because it was the subject of an approved nomination adopted after June 2005.

It is submitted that the proposal would better achieve the Plan objectives than what is currently in the adopted Plan. The proposal seeks to substitute 90,000 square feet of gross floor area of affordable elderly housing for 90,000 square feet of office. The switch in uses would also remove the need for a parking structure serving the office space adjacent to a residential neighborhood. Fairfax County is experiencing a shortage in affordable elderly housing. The location is close to shopping, medical services and major transportation. The switch in uses would also result in a significant reduction in daily peak hour vehicular trips on Route 50 and the surrounding transportation network.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

cc: ~~Tina Kim~~
Fred Selden
Sup. Michael Frey

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thrown directly into the most challenging positions and consistently proven he can handle them with strength of character and adroit leadership.

Last year, Mr. Rumberger was named Principal of the Year and recipient of the *Washington Post's* Distinguished Educational Leadership Award. Mr. Rumberger planned and led the opening of two schools—Westfield High School and South County Secondary School all the while creating a cohesive school community, developing partnerships to benefit students and schools, and assembling a staff that takes ownership for the success of the school. Mr. Rumberger will retire at the end of the school year.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Dale Rumberger to appear before the Board to be recognized for his incredible 32 years of dedicated service to the County. Without objection, it was so ordered.

5c.

COMMUNITY POLICING AT ITS BEST (MOUNT VERNON DISTRICT)
(12:50 p.m.)

STALZER

PD

Supervisor Hyland said that last month, officers were performing road checks on Richmond Highway in Hybla Valley and would ticket drivers who cut through commercial lots to get to Fordson Road or shops in Mount Vernon Plaza thinking they were avoiding a signalized intersection. The District Commander met with a local resident who complained about the enforcement action. Immediately, the District Commander and Lieutenant Commander drove to examine the scene. After consulting with supervisors, senior officers, and a magistrate, the Commander determined it was not a violation, established new guidelines for his officers, and nullified the summons.

These officers absolutely did the right thing to bring about a positive result. Their willingness to listen, thoroughly research a complaint, and quickly educate their patrol officers should be emulated by all of the County's finest. Supervisor Hyland expressed his congratulations to Captain Mike Kline and Lieutenant Dave Russell for their work.

6c.

PLAN AMENDMENT FOR LIGHT GLOBAL MISSION (SULLY DISTRICT) (12:54 p.m.)

STALZER

DPZ

Supervisor Frey said that Light Global Mission Church is the owner of the former Dominion Power property at the intersection of Route 50 and Fair Ridge Drive. The members want to build affordable elderly housing on a portion of their property that is currently approved for 90,000 square feet of office next to Atlantic Realty's retail project.

The Comprehensive Plan recommends mixed use, including retail, office and institutional uses. Because this plan language was adopted in the last North Area Plans Review cycle, the property owner is barred from submitting a nomination in the cycle that opens in May. The proposal is consistent and compatible with surrounding uses, and in accordance with the County's goal of providing affordable housing opportunities. Furthermore, staff agrees that the request may have merit.

Therefore, Supervisor Frey moved that the Board authorize staff to accept and review a Plan amendment for Sub Unit A5 of the Fairfax Center Area to include affordable elderly housing as an option and to consider it concurrently with the 2008-2009 North County APR nominations. Supervisor Herrity seconded the motion and it carried by unanimous vote.

7c.

UNITED AUTO GROUP, INCORPORATED (SULLY DISTRICT)
(12:56 p.m.)

STALZER

Supervisor Frey said that United Auto Group, Incorporated is the applicant of Proffered Condition Amendment Application PCA 2004-SU-028 and Special Exception Amendment Application SEA 2004-SU-027 to modify the building footprint of an approved auto dealership in Stonecroft Auto Park. The application is currently under review by staff.

The applicant has met with members of the Sully District community, including the Sully District Council and the Western Fairfax Civic Association, to share its plans.

Site plans have been submitted or approved on the neighboring two parcels. To allow all construction in this development to proceed simultaneously, the applicant has requested that the Board grant concurrent processing of the zoning applications and site plans, and that the Board public hearing be heard prior the August 2008 recess.

DRZ

Accordingly, Supervisor Frey moved that the Board authorize a public hearing to be held before the Board prior to the August recess for Proffered Condition Amendment Application PCA 2004-SU-028 and Special Exception Amendment Application SEA 2004-SU-027, as well as concurrent processing of the site plan with the zoning applications.

The applicant is aware that this motion does not relieve them of any obligation, ordinance or standards, and will not prejudice the consideration of the application in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.