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: William B. Lawson, Jr., Esq. Daytime Phone: 703-534-4800

Address: 6045 Wilson Boulevard Suite 100 Arlington, VA 22205

Nominator E-mail Address: blawson@lawsontarter.com

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

THIS BOX FOR STAFF USE ONLY
Date Received: 9/15/09
Date Accepted:
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(s): ☐Braddock ☐Lee ☒Mason ☐Mount Vernon ☐Springfield

Total number of parcels nominated: 4

Total aggregate size of all nominated parcels (in acres and square feet): 0.975 acres 42,471 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: see attached

b. CURRENT PLAN MAP RECOMMENDATION: Office

c. CURRENT ZONING DESIGNATION: C-2

Continued

d. PROPOSED COMPREHENSIVE PLAN RECOMMENDATION: (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). see attached

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?) see attached

f. NON-RESIDENTIAL: Check the appropriate use

- ☒ Office (option)
- ☒ Retail
- ☐ Government/Institutional
- ☐ Industrial
- ☐ Open Space
- ☐ Mixed Use (specify uses in table)

g. TOTAL Floor Area Ratio (FAR) Proposed: .35 or .50 (option) TOTAL Gross Square Feet: 14,865 or 21,236 (option)

Categories	Percent of Total FAR	Square feet
Office	100% (option)	21,236 (option)
Retail	100%	14,865
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
Industrial		
Residential*		
TOTAL	**100%**	

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

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)			
High-Rise Multifamily (9 + stories)			
TOTAL:			

Continued

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 August 3, 2009 and September 16, 2009 to:

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

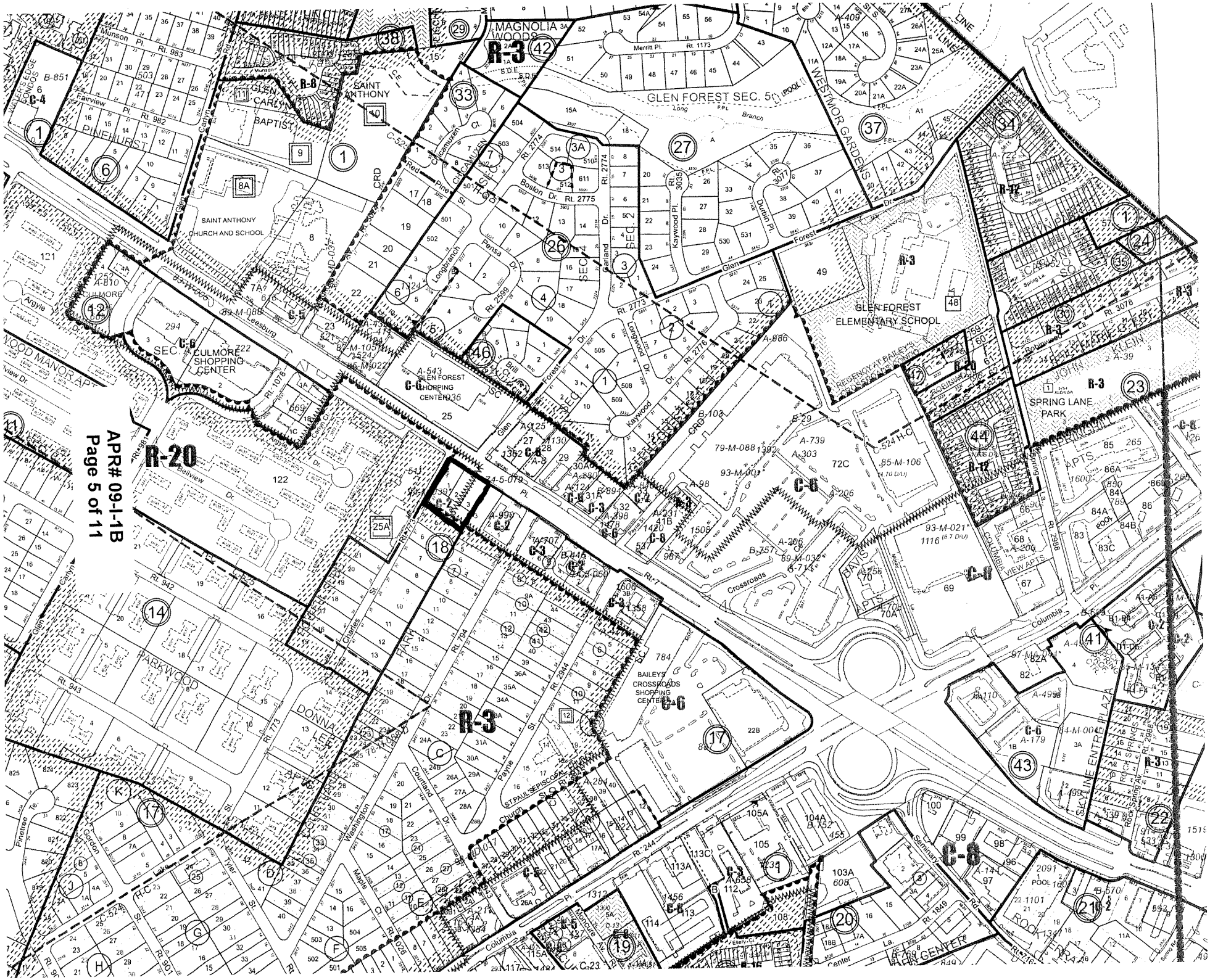
Continued

PROPERTY INFORMATION TABLE

All subject property owners must be sent written notice of the nomination by certified mail unless their signature appears in Part 1 of this application. If you are required to notify more than one property owner, you must provide all the information requested below.

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.*

Tax Map Number	Street Address of Parcel if available	Name of Property Owner	Mailing Address of Owner	Parcel Size in Acres	Signature of Owner or Certified Receipt Number
0612 18 0001	3401 Charles St	Jerry Waldrop	7740 Legere Ct. McLean, VA 22102	0.22	7160 3901 9848 6294 6960
0612 18 0002		Jerry Waldrop	7740 Legere Ct. McLean, VA 22102	0.19	7160 3901 9848 6294 6960
0612 18 0003		Jerry Waldrop	7740 Legere Ct. McLean, VA 22102	0.20	7160 3901 9848 6294 6960
0612 18 0004	3423 Charles St	Jerry Waldrop	7740 Legere Ct. McLean, VA 22102	0.37	7160 3901 9848 6294 6960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R-20
R-3
R-8
C-6
C-8
C-5
C-4
C-3
C-2
C-1
MAGNOLIA WOODS
GLEN FOREST SEC. 5
GLEN FOREST ELEMENTARY SCHOOL
SAINT ANTHONY CHURCH AND SCHOOL
CULMORE SHOPPING CENTER
GLEN FOREST SHOPPING CENTER
BAILEYS CROSSROADS SHOPPING CENTER
DAVIS APTS.
VIEW APTS.
SPRING LANE PARK
PARKWOOD
PINEHURST
WESTMORELAND GARDENS
REGENCY AT BAILEYS CROSSING
Munson Pl.
Fairview Pl.
Merritt Pl.
Boston Dr.
Glen Forest Dr.
Bellview Dr.
Columbia Pl.
Rt. 983
Rt. 982
Rt. 1173
Rt. 2775
Rt. 2774
Rt. 3071
Rt. 3035
Rt. 2599
Rt. 2773
Rt. 2776
Rt. 1078
Rt. 942
Rt. 943
Rt. 784
Rt. 2844
Rt. 773
Rt. 244
Rt. 2988
Rt. 3078
Rt. 1849
Rt. 2966
Rt. 7
Rt. 401
Rt. 236
Rt. 1026
Rt. 901
Rt. 1
Rt. 1173
Rt. 2773
Rt. 2774
Rt. 2775
Rt. 2776
Rt. 2988
Rt. 3078
Rt. 3071
Rt. 3035
Rt. 2599
Rt. 1078
Rt. 983
Rt. 982
Rt. 942
Rt. 943
Rt. 784
Rt. 2844
Rt. 773
Rt. 244
Rt. 1849
Rt. 2966
Rt. 7
Rt. 401
Rt. 236
Rt. 1026
Rt. 901
Rt. 1

LAND UNIT A

Land Unit A is located in the western quadrant of Baileys Crossroads and is bounded by Leesburg Pike to the north and Columbia Pike to the south. The Courtland Park Neighborhood Improvement District, a single-family residential neighborhood planned at 2-3 du/ac, and the multi-family Culmore area, planned at 16-20 du/ac, form the residential edge. Dominant features of this area include the community-serving Culmore and Baileys Crossroads Shopping Centers.

The remaining portions of Land Unit A are developed as neighborhood- serving office and retail uses, except between Washington Drive and Payne Street, and west of Courtland Drive, where more intensive office uses are located.

Within the overall Concept for Future Development for Baileys Crossroads, the following recommendations apply to specific sub-units of Land Unit A:

Sub-Unit A-1

The focus of this sub-unit is the Culmore Shopping Center and adjacent, related commercial uses. Parcels 61-2((12))4 and 4A, west of the Culmore Shopping Center, are CBC gateway locations and the boundary of commercial development on Leesburg Pike in Land Unit A. These parcels, and Parcels 61-2((12))1-1C to the east of Culmore Shopping Center, are planned for neighborhood-serving retail uses complementary to the shopping center up to .35 FAR. As an option, retail and office mixed use up to .50 FAR may be considered if logical consolidation is achieved, pedestrian linkages with adjacent residential uses are provided, and building heights do not exceed 40 feet.

The Culmore Shopping Center (Parcels 61-2((12))2 and 3) serves as a highly accessible source of everyday goods and services to the neighboring community and any revitalization or redevelopment should retain this function. This area is planned for retail and office use up to .50 FAR. Because of the age and configuration of existing structures, continuing revitalization of the shopping center is needed. Parking lot landscaping, coordinated signage, pedestrian linkages with adjacent residential areas, and facade improvements are encouraged. As an option, retail and office mixed use up to .70 FAR may be considered for this area if logical consolidation with all or portions of Parcels 61-2((1))121 and/or 122 to the south is achieved in accordance with the guidance shown in the Area I volume of the Comprehensive Plan, Baileys Planning District, B5 Barcroft Community Planning Sector, Land Use Recommendation 3.

Sub-Unit A-2

The parcels east of Charles Street, Tax Map 6-12((18))1-3, are planned as an office conversion zone, with office use in the existing residential structures. Or, as an option, townhouse- style office use up to .35 FAR may be appropriate if all three parcels are consolidated. The remainder of this area is planned for neighborhood serving retail and office uses up to .35 FAR. Building heights within this sub-unit should not to exceed 40 feet, and buffering to adjacent residential neighborhoods should consist of a solid wall and landscaping with a setback area designed as a transition to adjacent residential uses.

Sub-Unit A-3

The focus of this sub-unit is the Baileys Crossroads Shopping Center, located directly west of the Columbia Pike/Leesburg Pike interchange. Revitalization of the existing shopping center which may include expansion and redevelopment within the sub-unit should provide facade

LAWSON & TARTER & CHARVET, P.C.

William B. Lawson, Jr., Esquire
blawson@lawsontarter.com

September 14, 2009

By Certified Mail
7160 3901 9848 6294 6960

Mr. Jerry Waldrop
7740 Legere Court
McLean, Virginia 22102

RE: Proposed Amendment to the Comprehensive Plan

Dear Mr. Waldrop:

You are listed in the records of Fairfax County, Virginia, as the owner of the properties described below. The purpose of this letter is to notify you that I will soon be nominating your properties, under the 2009-2010 South County Area Plans Review Process, to the Fairfax County Planning Commission for a possible amendment of its land use designation.

Property Addresses:	3401 & 3424 Charles Street
Tax Map Numbers:	0612 18 0001; 0612 18 0002; 0612 18 003; and 0612 18 0004
Supervisor District:	Mason

The current Comprehensive Plan recommendation for your property is "office" with the attached plan text detailing more specific recommendations.

I am proposing that the Plan be amended to allow for neighborhood serving retail uses or townhouse-style office uses as described on the attached proposal.

The proposed development would consist of a commercial building containing retail space or a townhouse-style office.

Any comments or questions you have about this specific nomination should be directed to me at: 6045 Wilson Boulevard, Suite 100, Arlington, Virginia, 22205, 703-534-4800. If you have questions about this process, contact the Planning Commission office at 703-324-2865 or at 12000 Government Center Parkway, Suite 330, Fairfax, Virginia, 22035. Information regarding the

Area Plans Review process may be viewed at the APR Web site at www.fairfaxcounty.gov/dpz/apr.

Sincerely,

WBL JR BD

William B. Lawson, Jr.

WBL JR/dp

enclosures as stated

WBL/L0163.5472

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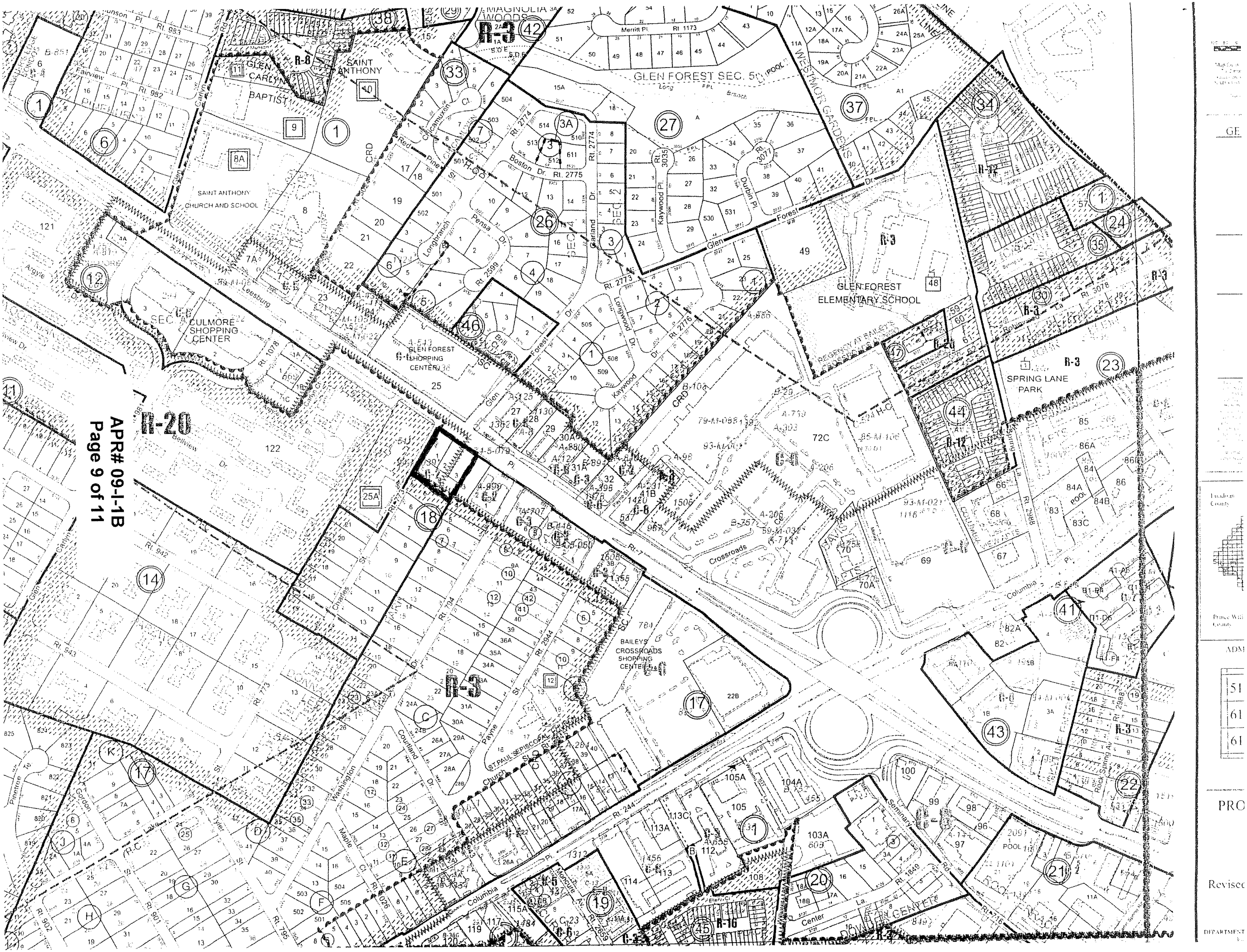

APR Nomination, 2009-2010 South County Area Plans Review

Tax Map Numbers: 0612 18 0001
0612 18 0002
0612 18 0003
0612 18 0004

Nominator: William B. Lawson, Jr., Esquire

Proposed Comprehensive Plan Language

The parcels east of Charles Street, Tax Map 6-12((18)1-4, are planned for neighborhood-serving retail uses up to .35 FAR. As an option, townhouse-style office use up to .50 FAR may be considered. The remainder of this area is planned for neighborhood serving retail and office uses up to .35 FAR. Building heights within this sub-unit should not exceed 40 feet, and buffering to adjacent residential neighborhoods should consist of a solid wall and landscaping with a setback area designed as a transition to adjacent residential uses.

Description of Appearance of Proposed Development

Retail development would likely occur in a new one or two story commercial building. Office development would occur in a townhouse style building not to exceed 40 feet. In either scenario, surface parking is likely.

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APR Nomination, 2009-2010 South County Area Plans Review

Tax Map Numbers: 0612 18 0001
0612 18 0002
0612 18 0003
0612 18 0004

Nominator: William B. Lawson, Jr., Esquire

Statement of Justification

Overview

Please consider this document to be the nominator's statement of justification for the proposed APR amendment to the comprehensive plan for the site consisting of Tax Map Numbers 0612 18 0001 through 0612 18 0004 (collectively, the "Property"). The nominator believes that the proposal would cure oversights or land use related inequities in the adopted plan that affect the Property.

Property Description

The Property consists of four parcels located adjacent to Leesburg Pike and/or Charles Street in the Bailey's Crossroads section of Fairfax County. The Property is encumbered by proffers that were approved in connection with a rezoning application in May 1995. The proffers restrict the development of the property to townhouse-style offices at a density that makes the development of the Property economically unfeasible. As a result, the property has not been developed, despite the owner of the Property's numerous attempts to market the Property to potential users.

Justification for Proposed Plan Language

The existing plan language results in inequity. As stated above, the owner has unsuccessfully attempted to market the Property for many years; however, the Property remains undeveloped, despite its location adjacent to Leesburg Pike, a major arterial road. This is not a hardship shared with neighboring property owners, many of whom have successfully developed their properties with successful retail and/or office uses and which have comprehensive plan language that enables such development. For example, certain parcels located on Leesburg Pike in the vicinity of the Property (including Tax Map Numbers 0612 12 0004 and -0004A, and -0001 through -0001C) are planned for neighborhood-serving retail uses. The proposed plan language is designed to provide the owner of the Property with the flexibility to develop his property in a manner that is consistent with the options available to these other properties located along Leesburg Pike, while providing sufficient safeguards (height restrictions, buffering, building setbacks, etc.) to ensure that the development of the Property does not adversely affect neighboring properties.