

Replacement pages 1-5 via 11/6/2009 email



2009-2010 SOUTH 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: Brian Winterhalter Daytime Phone: 703-456-8168

Address: Cooley Godward Kronish LLP, 11951 Freedom Drive Reston, VA 20190

Nominator E-mail Address: bwinterhalter@cooley.com

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

THIS BOX FOR STAFF USE ONLY
Date Received:
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 [X] Springfield

Total number of parcels nominated: 25

Total aggregate size of all nominated parcels (in acres and square feet): 133.9 acres 5,831,691 square feet

Is the nomination a Neighborhood Consolidation Proposal? [] Yes [X] 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.) [X] Yes [] No

PART 3: PROPERTY INFORMATION - Attach either the Property Information Table found at the end of this application form or a separate 8 1/2 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: Please see attached Comprehensive Plan text.

b. CURRENT PLAN MAP RECOMMENDATION: Fairfax Center Area. Please see attached Comprehensive Plan text.

c. CURRENT ZONING DESIGNATION: C-7

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.) Please see attached proposed Comprehensive Plan text.

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?) Mixed-use transit-oriented development with office, hotel, retail, residential, and secondary/accessory uses up to 0.80 FAR pending bus rapid transit and up to 1.0 FAR pending rail transit.

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: 0.65 TOTAL Gross Square Feet: 3,790,599*

Categories	Percent of Total FAR	Square feet
Office	25%	935,841**
Retail	56%	2,134,758
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
 Hotel	14%	520,000***
Residential*	5%	200,000
TOTAL	100%	3,790,599

*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 | TBD |
| 4 - 5 du/ac | |

*Includes all properties within Sub-Unit J-5 at a 0.65 FAR.

** Includes 469,841 square feet on the outparcels.

*** Includes 220,000 square feet on the outparcels.

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)	200	1,000	200,000
TOTAL:	200	1,000	200,000

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). _____

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?) _____

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: 0.80 TOTAL Gross Square Feet: 4,506,157*

Categories	Percent of Total FAR	Square feet
Office	27%	1,219,841**
Retail	48%	2,166,316
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
██████████ Hotel	12%	520,000***
Residential*	13%	600,000
TOTAL	100%	4,506,157

*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 | TBD |
| 4 - 5 du/ac | |

*Includes the Fair Oaks Mall properties at a 0.80 FAR and the remaining properties within Sub-Unit J-5 at a 0.65 FAR.

** Includes 469,841 square feet on the outparcels.

*** Includes 220,000 square feet on the outparcels.

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)	600	1,000	600,000
TOTAL:	600	1,000	600,000

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). _____

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?) _____

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: 1.0 TOTAL Gross Square Feet: 5,460,237*

Categories	Percent of Total FAR	Square feet
Office	25%	1,369,841**
Retail	40%	2,170,396
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
Hotel Hotel	10%	520,000***
Residential*	29% 26%	1,400,000
TOTAL	100%	5,460,237

*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 | TBD |
| 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)			
High-Rise Multifamily (9 + stories)	1,400	1,000	1,400,000
TOTAL:	1,400	1,000	1,400,000

*Includes the Fair Oaks Mall properties at a 1.0 FAR and the remaining properties within Sub-Unit J-5 at a 0.65 FAR.

** Includes 469,841 square feet on the outparcels.

*** Includes 220,000 square feet on the outparcels.

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

**Fairfax Center Area -- Property Information Table
Comprehensive Plan Amendment: Sub Unit J-5**

Tax Map Number	Street Address	Name of Property Owner	Mailing Address of Owner	Acres	Certified Receipt Number
46-3 ((08)) 12		Brandywine Acquisition Partners LP	PO Box 121604 C/O Lynn Minnici Arlington, Texas 76012	1.18	7008 1140 0003 2482 9214
56-1 ((12)) 19	12015 Legato Road Fairfax, VA 22033	Brandywine Acquisition Partners LP	PO Box 121604 C/O Lynn Minnici Arlington, Texas 76012	3.96	7008 1140 0003 2482 9214
46-3 ((08)) 18D1		Brandywine Acquisition Partners LP	PO Box 121604 C/O Lynn Minnici Arlington, Texas 76012	.57	7008 1140 0003 2482 9214
46-4 ((09)) 18C1		Brandywine Acquisition Partners LP	PO Box 121604 C/O Lynn Minnici Arlington, Texas 76012	1.68	7008 1140 0003 2482 9214
46-4 ((09)) 18B1	11781 Lee Jackson Memorial Highway Fairfax, VA 22033	Brandywine Acquisition Partners LP	PO Box 121604 C/O Lynn Minnici Arlington, Texas 76012	2	7008 1140 0003 2482 9214
46-3 ((08)) 18A1	11787 Lee Jackson Memorial Highway Fairfax, VA 22033	Fair Oaks Hotel LLC	560 S. Collier Boulevard Marco Island, FL 33937	5	7008 1140 0003 2482 9221
46-3 ((08)) 17		Pender Group LLC	4001 Legato Road Fairfax, VA 22033	1.23	7008 1140 0003 2482 9245
46-3 ((08)) 16C		BRE ESA P Portfolio LLC	100 Dunbar St. Attn: Frances Parker Spartanburg, SC 29306	1.87	7008 1140 0003 2482 9252
46-3 ((08)) 16D		UAX LLC	1730 Rhode Island Ave. NW; Suite 909 Washington, DC 20036	2.58	7008 1140 0003 2482 9238
46-3 ((08)) 16A		Oaks Limited Partnership	6000 Executive Blvd., Suite 400 North Bethesda, MD 20852	4.29	7008 1140 0003 2482 9207
46-3 ((08)) 10		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	0.996	7008 1140 0003 2482 9269
46-3 ((08)) 1A		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	0.17	7008 1140 0003 2482 9269

46-3 ((08)) 1C		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	41.5	7008 1140 0003 2482 9269
46-3 ((08)) 1D		Fairfax Company of Virginia LLC	7 W. Seventh St. Fed Dept St Prop Tax Dept. Cincinnati, OH 45202	2.50	7008 1140 0003 2482 9269
46-3 ((08)) 2		Sears Roebuck and Co.	3333 Beverly Rd. Hoffman Estates, IL 60179	15.08	7008 1140 0003 2482 9276
46-3 ((08)) 4A		JC Penney Properties Inc.	PO Box 10001 Property Tax Office Dallas, TX 75301	8.84	7008 1140 0003 2482 9283
46-3 ((08)) 5	11700 Lee Jackson Memorial Highway Fairfax, VA 22033	The May Dept. Stores Company	7 W. 7 th St. C/O Macy's Cincinnati, OH 45202	14.19	7008 1140 0003 2482 9290
46-3 ((08)) 6		LT Propco LLC	3 Manhattanville Rd. C/O NRDC Equity Partners Fund III LLC Purchase, NY 10577	9.17	7008 1140 0003 2482 9306
46-3 ((08)) 6A		LT Propco LLC	3 Manhattanville Rd. C/O NRDC Equity Partners Fund III LLC Purchase, NY 10577	0.17	7008 1140 0003 2482 9306
46-3 ((08)) 7		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	3.03	7008 1140 0003 2482 9269
46-4 ((09)) 8		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	5.20	7008 1140 0003 2482 9269
56-1 ((12)) 9		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	2.5	7008 1140 0003 2482 9269
56-1 ((12)) 14		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	0.90	7008 1140 0003 2482 9269

46-3 ((08)) 13		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	3.23	7008 1140 0003 2482 9269
46-3 ((08)) 11		Fairfax Company of Virginia LLC	200 E. Long Lake Road Attn: Retax Dept. The Taubman Co. Inc. Bloomfield Hills, MI 48303	2.05	7008 1140 0003 2482 9259

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maintained to ensure adequate height and coverage of vegetation throughout each development phase. Architectural treatments and enhanced landscaping for structured parking are encouraged to lessen the visual impact of the structure on the adjacent residential use.

- Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.

High-quality office use may be considered as an option up to 1.0 FAR at the overlay, comparable to that found in the adjacent Sub-unit J2, under the following conditions:

- Provide site and building design that mitigates the negative impacts of office use on the adjacent residential use, including, but not limited to, landscaping, buffering, and screening.
- Provide pedestrian facilities and landscaping on the frontage along Legato Road.
- Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.

Sub-unit J4

This sub-unit is planned for office mixed-use development at .50 FAR at the overlay level.

Sub-unit J5

This sub-unit contains the Fair Oaks regional mall at its center and several office buildings, a multi-screen movie theater, and a hotel around it perimeter. It is planned for mixed-use retail and office use not to exceed .50 FAR overall. The existing character of the site along Route 50 should be preserved.

LAND UNIT SUMMARY CHART – LAND UNIT J	
<u>Sub-units</u>	<u>Approximate Acreage</u>
J1	41
J2	41.5
J3	3.5
J4	17
J5	131

LAND UNIT SUMMARY CHART – LAND UNIT J (continued)			
<u>Sub-units</u>	<u>Recommended Land Use</u>	<u>Intensity/ FAR</u>	<u>Density Units/Acre</u>
Baseline Level			
J1, J4	RESIDENTIAL		2
J2	OFFICE; RESIDENTIAL	.25	5
J3	INSTITUTION; OFFICE	.15 .25	
J5	MIXED-USE **	.15	
Intermediate Level			
J1, J4	OFFICE/MIX	.35	
J2	OFFICE/MIX	.55	
J3	INSTITUTION; OFFICE	.50 * .55	
J5	MIXED-USE **	.25	
Overlay Level			
J1	OFFICE/MIX	.45	
J2	OFFICE/MIX; *** HOTEL	1.0 300 Room	
J3	OFFICE	1.0	
J4	OFFICE/MIX	.50	
J5	MIXED-USE **	.50	
<p>* See text for J3 conditions for high-intensity institutional or office uses.</p> <p>** See text for the recommended mixture of uses for this sub-unit.</p> <p>*** See text for overlay level recommendations for Tax Map 46-3((1))40, 41B, 41C and 51, as well as for Tax Map 46-3((1))36E.</p> <p>Note: Part of these sub-units are within the Water Supply Protection Overlay District.</p>			

FAIRFAX CENTER AREA - SUB-UNIT J-5
APR NOMINATION - PROPOSED COMPREHENSIVE PLAN

Sub-Unit J-5

This sub-unit contains the existing regional mall, Fair Oaks Mall, at its center with several office buildings and hotels around its perimeter. The properties within this sub-unit are planned for a mix of retail, office, hotel, residential, and/or secondary/accessory support uses to be developed up to a 0.65 FAR. The development intensity for this sub-unit shall be measured either on the basis of each individual parcel or on a grouping of parcels subject to a coordinated plan of development. In recognition of Fair Oaks Mall's significance within Sub-Unit J-5, its regional-serving function, and its location at the core of the mixed-use Fairfax Center Area, the Fair Oaks Mall is encouraged to expand, modify, and diversify its structures and uses in order to remain a vital component of the area's retail sector and the mixed-use Fairfax Center Area.

Bus Rapid Transit Mixed-Use Option: Upon the execution of a funding agreement to provide Bus Rapid Transit service accessible to the Fair Oaks Mall, or the adjacent properties within Sub-Unit J-5, the Fair Oaks Mall properties are appropriate for higher-intensity development that integrates a mix of retail, office, hotel, residential, and secondary/accessory support uses to be developed up to a 0.80 FAR. The fully realized mix of land uses calculated by gross floor area of the development under this option should target a maximum of 60% retail, a maximum of 15% hotel, 15 – 25% office, and 10 – 20% residential.

Further development of the Fair Oaks Mall properties under this option should seek to modify, where feasible, the general character of the site over the long-term into a more mixed-use, pedestrian-friendly, and transit-oriented place that can serve as a focal point for the Fairfax Center Area. As part of any redevelopment or new development, the existing mall footprint may remain or be expanded. Redevelopment or new development should utilize urban design characteristics where suitable, such as streetscaping, landscaping, gathering spaces and walkable spaces, that encourage pedestrian activity and create a pedestrian connection between the mall and the Bus Rapid Transit service. This Bus Rapid Transit development option recognizes that commuter parking associated with transit service is planned for the south side of Interstate 66. The additional conditions noted below should guide development under this option.

- Development proposals should incorporate a common gathering space (if not already provided or planned) that can serve as a focal point which fosters a more active and pedestrian-oriented environment that encourages pedestrian connectivity among the transit service, the new uses within the site, and the existing Fair Oaks Mall.
- Residential uses may be located less than 200 feet from the Interstate 66 right-of-way, provided development proposals for such uses include a noise analysis.
- Office uses may be located less than 75 feet from the Interstate 66 right-of-way, provided development proposals for such uses include a noise analysis.
- Ground-floor retail uses are appropriate for new office, hotel, and residential buildings.
- Building heights should be limited to 150 feet along Interstate 66 and 100 feet along Route 50.

- Development proposals should demonstrate that impacts to the road network can be appropriately mitigated based on development phasing, transit service, transportation demand management measures, and proposed road improvements.

Rail-Oriented Mixed-Use Option: Upon the execution of a funding agreement to provide rail transit service accessible to the Fair Oaks Mall, or the adjacent properties within Sub-Unit J-5, the Fair Oaks Mall properties are appropriate for higher-intensity development that integrates a mix of retail, office, hotel, residential, and secondary/accessory support uses to be developed up to a 1.0 FAR. The fully realized mix of land uses calculated by gross floor area of the development under this option should target a maximum of 50% retail, a maximum of 10% hotel, 10 – 25% office, and 20 – 40% residential.

Further development of the Fair Oaks Mall properties under this option should seek to modify, where feasible, the general character of the site over the long-term into a more mixed-use, pedestrian-friendly, and transit-oriented place that can serve as a focal point for the Fairfax Center Area. As part of any redevelopment or new development, the existing mall footprint may remain or be expanded. Redevelopment or new development should utilize urban design characteristics where suitable, such as streetscaping, landscaping, gathering spaces and walkable spaces, that encourage pedestrian activity and create a pedestrian connection between the mall and the rail transit station. This rail-oriented development option recognizes that commuter parking associated with transit service is planned for the south side of Interstate 66. The additional conditions noted below should guide development under this option.

- Development proposals should incorporate a common gathering space (if not already provided or planned) that can serve as a focal point which fosters a more active and pedestrian-oriented environment that encourages pedestrian connectivity among the transit station, the new uses within the site, and the existing Fair Oaks Mall.
- Residential uses may be located less than 200 feet from the Interstate 66 right-of-way, provided development proposals for such uses include a noise analysis.
- Office uses may be located less than 75 feet from the Interstate 66 right-of-way, provided development proposals for such uses include a noise analysis.
- Ground-floor retail uses are appropriate for new office, hotel, and residential buildings.
- Building heights should be limited to 195 feet along Interstate 66 and 100 feet along Route 50.
- Development proposals should demonstrate that impacts to the road network can be appropriately mitigated based on development phasing, transit service, transportation demand management measures, and proposed road improvements.

In addition to the proposed Plan text above, the Nominator also proposes to amend the chart on page 76 of the Fairfax Center Area portion of the Comprehensive Plan to state the following for Sub-Unit J-5: “** See text for the recommended intensities and mixture of uses for this sub-unit.” The Nominator further proposes to remove the Intensity/FAR designations for Sub-Unit J-5 shown in the chart in favor of the ** reference to the Nominator’s proposed Plan text.



A Fairfax County, Virginia Publication



Map Date: 09-11-17
Map Scale: 1" = 100 Feet
Map Projection: NAD 83 UTM
Map Datum: NAD 83
Map Contour Interval: 5 Feet
Map Contour Elevation: 100 Feet
Map Contour Interval: 5 Feet
Map Contour Elevation: 100 Feet

GENERAL NOTES

1. This map is a preliminary map and is not intended to be used for any purpose other than to show the general location of the proposed project. It is not intended to be used for any purpose other than to show the general location of the proposed project. It is not intended to be used for any purpose other than to show the general location of the proposed project.



ADMINISTRATIVE INDEX

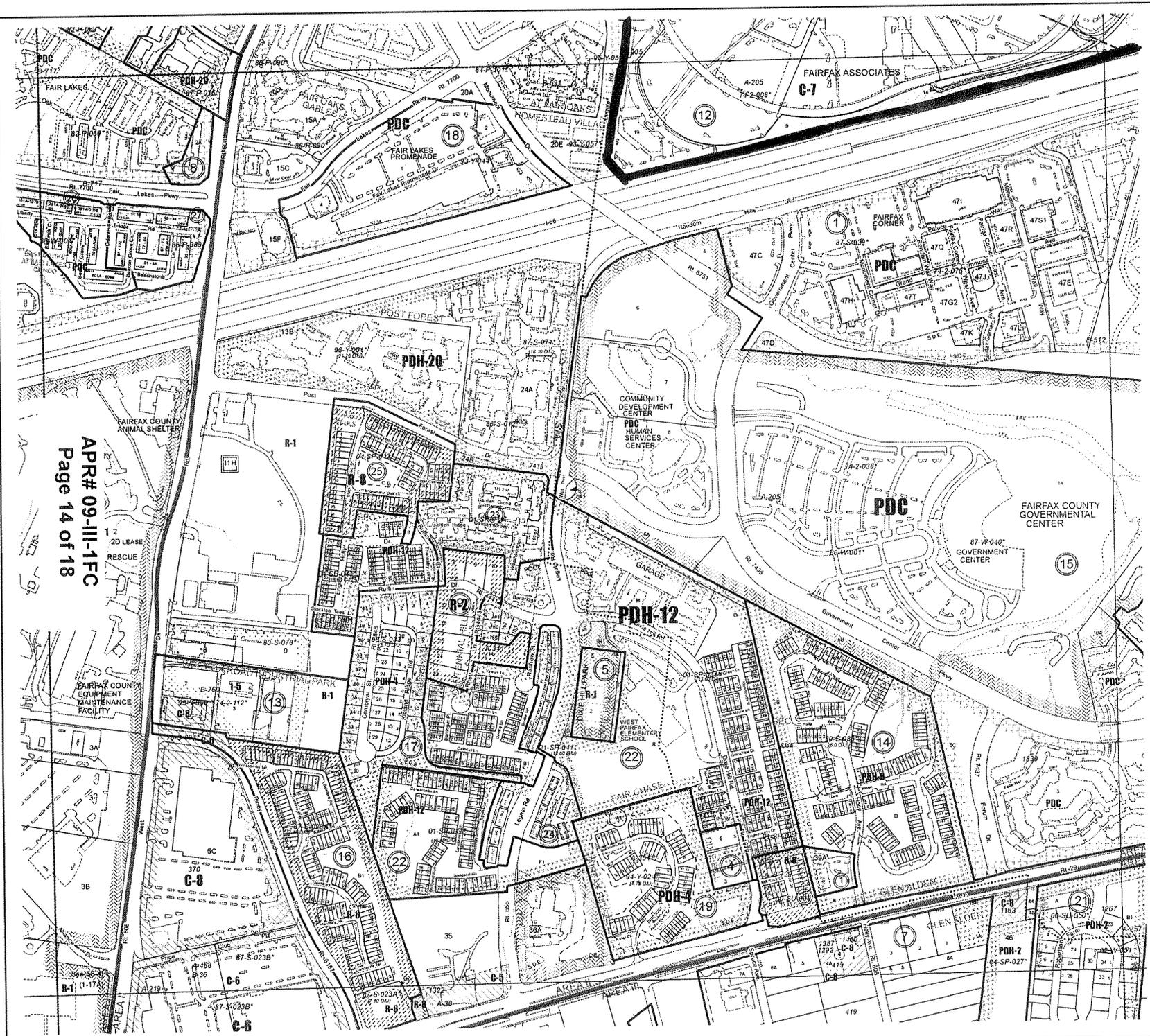
45-4	46-3	46-4
55-4	56-3	56-2
55-4	56-3	56-4

SHEET INDEX

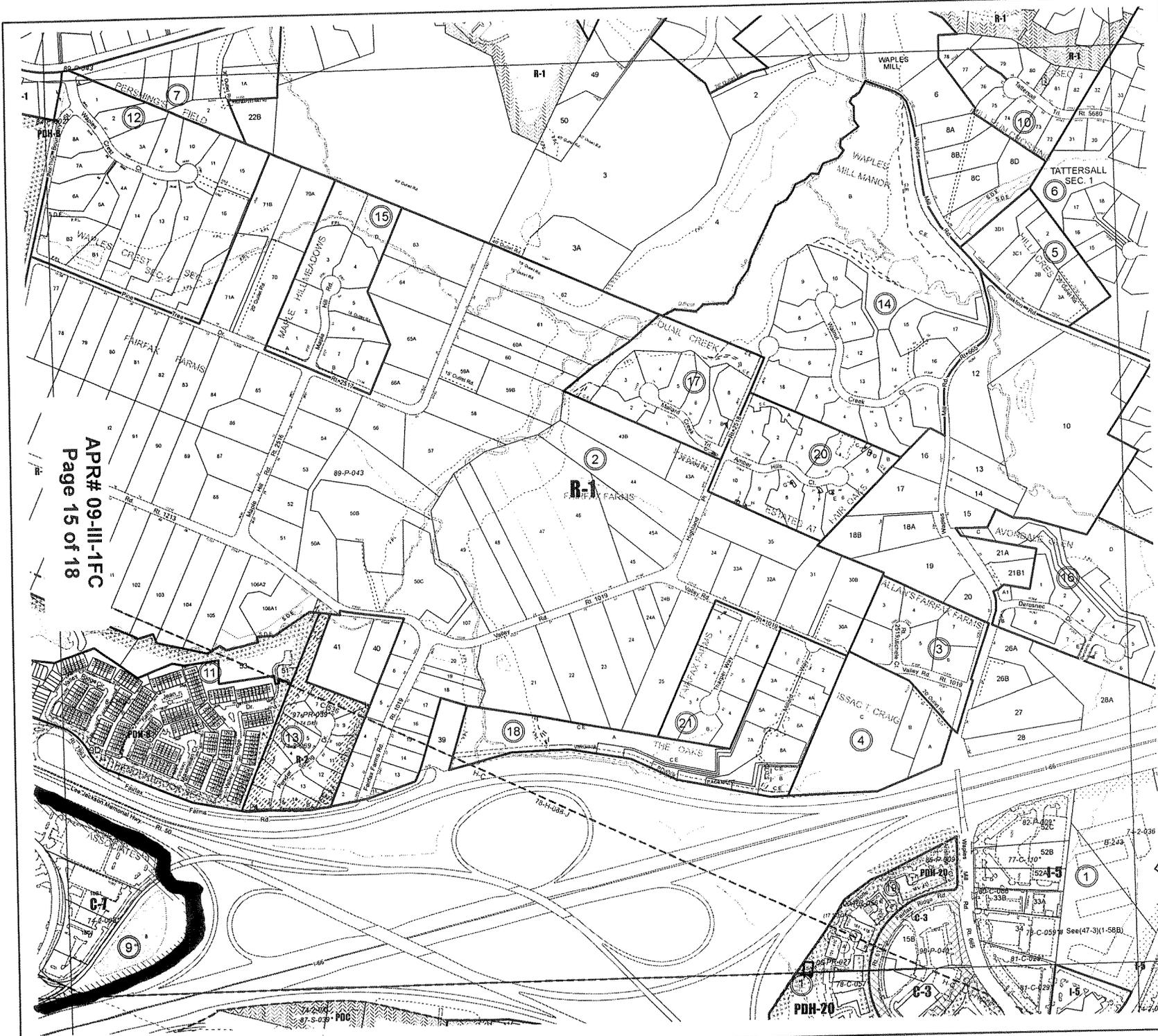
PROPERTY MAP ZONING
56-1

Revised to: 01-01-2009

Prepared by:
DEPARTMENT OF INFORMATION TECHNOLOGY
Geographic Information Services
12000 Administration Center, Suite 117
Falls Church, Virginia 22041-2117
TEL: 703-271-3112
FAX: 703-271-3951



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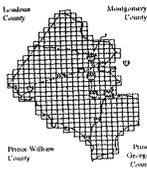
A Fairfax County, Virginia Publication



Map file is 10" X 17" based on DSRM 1:24,000 scale
7.12 meter GDA83 Virginia Control System
value of 1:24,000. North arrow is U.S. National Grid
NAD 83. All high precision GPS measurements
based on the Virginia Vertical datum 1929

GENERAL NOTES

INTENT:
The use or development of the property is subject to the provisions of the zoning ordinance and the provisions of the Board of Supervisors. The Board of Supervisors may, at its discretion, amend the zoning ordinance by resolution or ordinance. The Board of Supervisors may also, at its discretion, grant a variance from the zoning ordinance. The Board of Supervisors may also, at its discretion, grant a conditional use permit. The Board of Supervisors may also, at its discretion, grant a special use permit. The Board of Supervisors may also, at its discretion, grant a conditional use permit. The Board of Supervisors may also, at its discretion, grant a special use permit.



ADMINISTRATIVE INDEX

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46-3	46-4	47-3
56-1	56-2	57-1

SHEET INDEX

PROPERTY ZONING
46-4

Revised to: 01 - 01 - 2009

Prepared by:
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES
Geographic Information Services
12000 Government Center Parkway, Suite 117
Fairfax, Virginia 22031-6610
© 2009 Fairfax County
FAX 703 226-3937

FAIRFAX CENTER AREA – SUB-UNIT J-5
APR NOMINATION - STATEMENT OF JUSTIFICATION

I. Introduction

Fairfax Company of Virginia, LLC (“Fairfax Company”), Sears Roebuck and Co., LT Propco LLC, The May Department Stores Company, and J.C. Penney Properties, Inc. are the owners of the properties that comprise the Fair Oaks Mall, which are identified on the Fairfax County Tax Map as 46-3 ((8)) Parcels 1A, 1C, 1D, 2, 4A, 5, 6, 6A, 7, 10, 11, and 13, 46-4 ((9)) Parcel 8, and 56-1 ((12)) Parcels 9 and 14 (collectively, the “Fair Oaks Mall Properties,” the “Mall”). In addition, the Fair Oaks Mall Properties are surrounded by several office and hotel properties identified on the Fairfax County Tax Map as 46-3 ((8)) Parcels 12, 16A, 16C, 16D, 17, 18A1, and 18D1, 46-4 ((9)) Parcels 18B1 and 18C1, and 56-1 ((12)) Parcel 19 (the “Mall Outparcels”). On behalf of Fairfax Company, Cooley Godward Kronish LLP (the “Nominator”) requests approval of a Comprehensive Plan Amendment to provide opportunities for expansion, mixed-use, and transit-oriented mixed-use developments at intensities appropriate for properties located adjacent to a future transit station.

II. Current Comprehensive Plan Provisions

The Fair Oaks Mall Properties and the Mall Outparcels are within Sub-Unit J-5 of the Fairfax Center Area portion of the Fairfax County Comprehensive Plan (the “Plan”). The Plan currently recommends mixed-use development consisting of retail and office uses up to a 0.50 FAR overall. The Plan currently does not recommend residential or hotel uses.

III. Proposed Comprehensive Plan Amendment

A. Mixed-Use Development in Sub-Unit J-5

The Nominator proposes to amend the Comprehensive Plan to allow the Fair Oaks Mall Properties and the Mall Outparcels to diversify their land uses with a modest increase in development intensity to a 0.65 FAR. The proposed Plan language would allow Fair Oaks Mall to continue to thrive and add tenants desired by employees and residents in the Fairfax Center Area in order to remain a vital component of the area’s retail sector and the mixed-use Fairfax Center Area. Further, the proposed amendment would address issues raised by Fairfax County Staff in the Fairfax Company’s proffered condition amendment application.

B. Transit-Oriented Mixed-Use Development Options

The Nominator also proposes two options for mixed-use, transit-oriented development in order to ensure the continued viability and success of Fair Oaks Mall as a regional center of activity. The Fair Oaks Mall Properties’ location directly adjacent to a transit station, planned as part of an extension of the Metrorail system, provides a significant opportunity for the Fairfax Center Area. Further development of the Fair Oaks Mall Properties with a mix of office, hotel, retail, residential, and secondary/accessory support uses has the potential to evolve the Fair Oaks Mall into a more pedestrian-friendly environment supported by the planned transit service with enhanced streetscapes, gathering areas for employees, residents, shoppers, and hotel guests, and connectivity to mass transit serving the area.

The Fairfax Center Area has experienced significant population and employment growth since the Board of Supervisors approved the Fair Oaks Mall’s current zoning in 1976. The growth in the

number of office employees and residents in the area encouraged previous expansions of the Fair Oaks Mall and additional expansion opportunities are now needed to continue to meet residents' and employees' demands for a convenient and high-quality shopping experience.

The character of regional malls and the land planning approach to populous areas across the country, and in Fairfax County, has evolved over the past decade. Many enclosed shopping centers are being re-envisioned, and intelligently planned, into vibrant, mixed-use, and transit-oriented developments that merge the conveniences of living, shopping, dining and working into place-making projects that will better resonate with current and future generations. Tysons Corner Center and Springfield Mall are in the process of evolving their stand-alone shopping centers with additional intensity and a mix of uses, but the current Plan language prevents the Fair Oaks Mall Properties from achieving a similar transformation of place with revised intensity and creative planning and design.

In order to remain competitive in this changing environment, the Nominator requests additional development options allowing a 0.80 FAR pending the extension of Bus Rapid Transit and a 1.0 FAR pending the extension of Metrorail to serve the Fair Oaks Mall Properties. The proposed Comprehensive Plan language will provide the owners of the Fair Oaks Mall Properties the density and mix of uses required to accommodate high-quality office, restaurants and retailers, and residential that are vital to the type of successful mixed-use and transit-oriented development the County envisions for the Fairfax Center Area.

C. Pedestrian Improvements

The proposed Comprehensive Plan Amendment supports a well-designed pedestrian network critical to fostering successful transit-oriented development. Connections for the Fair Oaks Mall Properties would serve to facilitate access to the transit station and would include, where suitable, streetscaping, street-level retail space, and gathering areas to encourage greater pedestrian movement throughout the Fair Oaks Mall Properties.

D. Transportation Improvements

The proposed Comprehensive Plan Amendment promotes transportation demand management ("TDM") measures to reduce the number of single occupancy vehicle trips made to and from the Fair Oaks Mall Properties. In addition, the proposed mix of uses and pedestrian improvements will encourage a greater synergy and purpose of trips within the Fair Oaks Mall Properties. The proposed Plan language also recommends that negative impacts to the road network be mitigated with a combination of phasing development intensities with transit service, TDM measures, and road improvements.

IV. Conclusion

The proposed Comprehensive Plan Amendment improves upon the current Plan's existing recommendations by recognizing the regional opportunity and significance of the Fair Oaks Mall Properties as the focal point of the mixed-use Fairfax Center Area. The Fair Oaks Mall Properties' location and buildings, as configured today, provide an opportunity for higher intensity smart growth development and a future transit station further strengthens the opportunity to redevelop the Fair Oaks Mall Properties into an active, pedestrian-friendly, and transit-oriented environment. The Nominator, therefore, respectfully requests the support of the County Staff and the Planning Commission, and approval by the Board of Supervisors for the proposed Comprehensive Plan Amendment.

Van Dam, Meghan

From: Winterhalter, Brian [bwinterhalter@cooley.com]
Sent: Friday, November 06, 2009 4:07 PM
To: Van Dam, Meghan
Subject: PC 2009-027
Attachments: Revised PC 2009-027 APR Nomination Form.pdf

Dear Ms. Van Dam,

Per your request, attached please find a revised APR nomination form for South County APR nomination PC 2009-027. The revised nomination form identifies the land area subject to the nomination as 133.9 acres (5,831,691 square feet). The land area that comprises the Fair Oaks Mall properties contains 109.5 acres (4,770,396 square feet). The revised nomination form includes the development for the Fair Oaks Mall properties at a 0.65 FAR, at a 0.80 FAR with Bus Rapid Transit, and at a 1.0 FAR with Metrorail. The remainder of the properties within Sub-Unit J-5 would remain at a 0.65 FAR.

Under the proposed intensity of 0.65 FAR, the Fair Oaks Mall properties could be developed with up to 3,100,757 square feet. The proposed mix of uses includes 466,000 square feet of office, 2,134,758 square feet of retail, 300,000 square feet of hotel, and 200,000 square feet of residential. The remaining properties within Sub-Unit J-5 could be developed with up to 689,841 square feet, and the nomination assumes 469,841 square feet of office and 220,000 square feet of hotel for all development scenarios. The total development in Sub-Unit J-5 would be 3,790,599 square feet as shown on the revised nomination form.

Under the proposed Bus Rapid Transit option, the Fair Oaks Mall properties could be developed with up to 3,816,316 square feet at a 0.80 FAR. The proposed mix of uses includes 750,000 square feet of office, 2,166,316 square feet of retail, 300,000 square feet of hotel, and 600,000 square feet of residential. The outparcels within Sub-Unit J-5 would remain at a 0.65 FAR with up to 689,841 square feet of development. The total development in Sub-Unit J-5 would be 4,506,157 square feet.

Under the proposed Metrorail option, the Fair Oaks Mall properties could be developed with up to 4,770,396 square feet at a 1.0 FAR. The proposed mix of uses includes 900,000 square feet of office, 2,170,396 square feet of retail, 300,000 square feet of hotel, and 1,400,000 square feet of residential. The remaining properties within Sub-Unit J-5 would remain at a 0.65 FAR with up to 689,841 square feet of development. The total development in Sub-Unit J-5 would be 5,460,237 square feet.

The nomination proposes to incorporate the 0.65 FAR into the overlay level of the Fairfax Center Area recommendations to replace the existing 0.50 FAR. Finally, the identification of secondary/accessory support uses in the proposed Comprehensive Plan language is intended to confirm that such uses (as may be permitted under the current zoning or under a rezoning application) are appropriate in addition to office, hotel, retail, and residential uses. As these types of uses are generally retail-oriented in nature, the nomination assumes they are within the proposed retail square footage.

Please contact me at 703-456-8168 if you have any questions or need additional information.

Best regards,
 Brian

Brian J. Winterhalter
 Cooley Godward Kronish LLP • One Freedom Square • Reston Town Center
 11951 Freedom Drive • Reston, VA 20190-5656
 Direct: (703) 456-8168 • Fax: (703) 456-8100 • Cell: (703) 867-0708
 Bio: www.cooley.com/bwinterhalter • Practice: www.cooley.com/realestate

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