



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: David R. Gill / ~~Gregory A. Riegler~~ Daytime Phone: 703-712-5039/5360

Address: 1750 Tysons Boulevard, Suite 1800, McLean, VA 22102

Nominator E-mail Address: dgill@mcguirewoods.com / ~~griegler@mcguirewoods.com~~

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

THIS BOX FOR STAFF USE ONLY
Date Received: 9/16/09
Date Accepted: 9/24/09 ARR
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 [X] Lee [] Mason [] Mount Vernon [] Springfield

Total number of parcels nominated: 1

Total aggregate size of all nominated parcels (in acres and square feet): 10.58 acres 460,856 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/dpzi) for your citation. It is the most current version: Land Unit E of the Van Dorn Transit Station Area

b. CURRENT PLAN MAP RECOMMENDATION: Office

c. CURRENT ZONING DESIGNATION: Industrial-Institutional (I-I)

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). Allow an option for a mini-warehouse up to 115,000 GFA with accessory outdoor storage for boat and RV parking

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 statement of justification

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: 0.25 TOTAL Gross Square Feet: 115,000 sq ft

Categories	Percent of Total FAR	Square feet
Office		
Retail		
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
Industrial	100%	115,000
Residential*		
TOTAL	100%	115,000

*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)			
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 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

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
82-1-((1))-2A	N/A	Oakwood, LLC	c/o KSI Services Inc. 8081 Wolftrap Road, Suite 330 Vienna, VA 22182	10.58	70042510000015961359

APR# 09-IV-1RH
Page 5 of 10

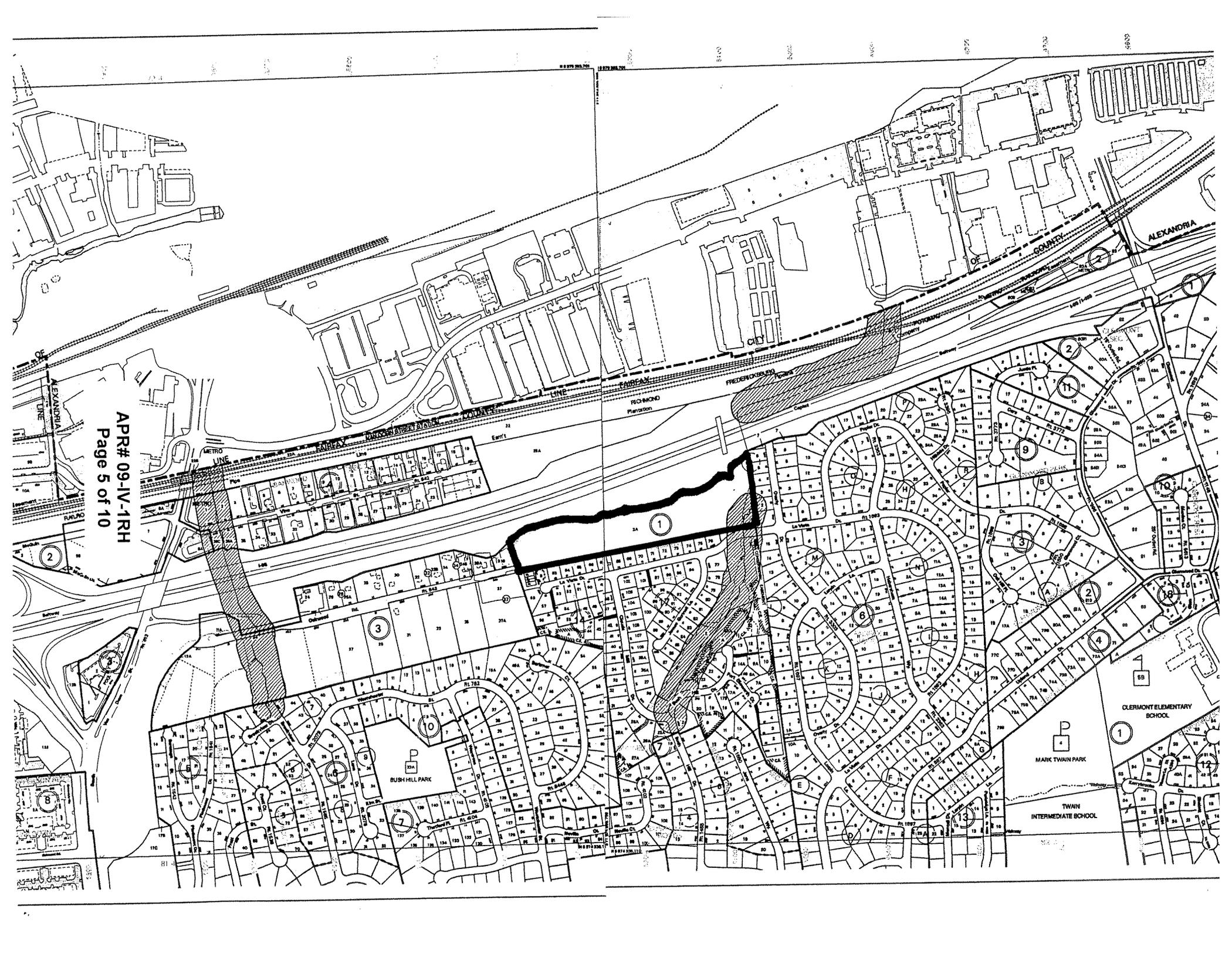


EXHIBIT 1

Existing Comprehensive Plan Text Rose Hill Planning District - Van Dorn Transit Station Land Unit E

The portions of Land Unit E which are on similar elevations (usually above approximately 225-230 feet) as the existing neighborhoods along Westchester Street and Barbmor Court are planned for, and developed with single-family houses at 2-3 dwelling units per acre, which is compatible with existing residential areas to the south, southeast, and west.

The remaining approximately 50-acre undeveloped tract is traversed by three stream tributaries near and along the eastern boundary of the land unit adjacent to existing residential development and has considerable terrain variation. Elevations range from 150-200 feet along the Beltway rising to elevations of 200-240 feet adjacent to Land Unit D and on the southern portions of the land unit adjacent to residential development to the south. Streams and terrain constrain the eastern area to passive open space. Remaining developable land is planned for office in the northern portion with possible residential development adjacent to and compatible to residential development to the south and east. Preservation of natural features, such as streams, terrain, and vegetation should be used in determining the amount, location, and character of the residential and office components as well as in buffering residential from office development. Therefore, some boundary shifts between the two uses as shown on the Comprehensive Plan Map may be required.

Low to medium intensity office use up to .30 FAR is planned for the approximately northern two-thirds of this area. Building heights should not exceed 40 feet, and effective screening and buffering as well as design measures to protect existing and proposed residential areas should be provided. A higher intensity, up to .50 FAR, may only be considered only if land is consolidated or enabling legislation to allow use of transfer development rights be enacted to allow development from Land Unit D to be shifted to the northern portion of this land unit, and all other Plan policies and requirements are met. The internal circulation system should connect to Oakwood road with no public vehicular access to the southern portion of the land unit. Residential development at 2-3 dwelling units per acre is planned for the area south of the planned low-rise office use. Access to this portion of the land unit is to be via a public vehicular connection to Bush Hill Drive and possibly Overly Drive or La Vista Drive with access to the northern portion of the land unit restricted to residents and emergency vehicles. Adequate buffering to provide a transition should be provided between the residences and office uses.

The design of new development for the entire land unit should be sensitive to environmental constraints and opportunities. Special attention, including possible remediation, should be given to extensive erosion of stream beds, erosion of slopes due to logging, and the possibility of flooding due to the blockage of stormwater management pipes from adjacent developments. Buffering between higher intensity uses and existing single family communities through clustering of development, preservation of existing vegetation, and retention of natural topography where possible, are necessary. In order to reduce noise from the Beltway and other sources, attenuation and/or measures such as sound walls, tree save, and tree replacement should be provided in areas where removal has been excessive.

Pedestrian and bicycle trails with connections to adjacent residential areas (to the south east) should be provided. A trail extension of Bush Hill Drive and along the water main easement on Tax Map 81-2((10))18 to Oakwood Road and hence to the Metro station should be integrated into the development scheme to provide for safe movement of bicycle and pedestrian traffic.

September 10, 2009

PART 6: JUSTIFICATION

Oakwood, LLC
Tax Map Number 82-1-((1))-2A (the "Site")

Introduction

This nomination is to correct the current inappropriate plan language for what is an odd-shaped "orphan" parcel that is adjacent to I-495 by providing for a potential self-storage use. The nominated parcel is a 10.57-acre site at the east of end of Oakwood Road, near the Van Dorn St./I-495 Interchange. The property itself is an isolated and narrow strip, with more than 1,600 feet of frontage along I-495. As such, the site is located in the "gap" between the Springfield Interchange project and the Wilson Bridge project. This "gap" is also literal as the Site represents one of the key locations where a soundwall does not exist along the Beltway, exposing the adjacent residential to significant noise impacts. Thus, this nomination is intended create plan language that plugs that "gap" by encouraging a use that is compatible with the surrounding residential, while also mitigating the associated noise impacts of I-495.

Site Context

The Site is currently planned for low to medium intensity office use up to 0.3 FAR, with conditions. ~~The base recommendation is for residential at 2-3 dwelling units per acre.~~ However, neither use is appropriate given the noise impact on the site, the proximity of adjacent residential and the limited access that Oakwood Road provides. This noise impact is even acknowledged in the current plan text as it does specify that "any development proposal should provide attenuation measures to mitigate noise impacts from I-95." Further, the zoning is I-I, Industrial Institutional, which only allows office and institutional uses by-right. This relatively rare zoning district in the County has setbacks that would preclude any development of the Site.

The site is also isolated, with the single access from Oakwood Road and depreciated commercial to the west of the Site. There is a small area of resource protection area (RPA) limiting the buildable area along the eastern edge of the site. The RPA also buffers the site from the residential community to the east. The site directly abuts single-family detached along its southern boundary. As noted above, to the north is I-495.

Nomination

This request is to add an option to the Comprehensive Plan to allow a mini-warehouse facility on the Site to plug the "gap." The option would limit the use to a 0.25 FAR (approximately 115,000 gross square feet), which below the office option currently in the plan. The use would mitigate noise both by the buildings themselves and potentially through construction of a soundwall. Further the Site is of sufficient size to potentially accommodate the long-planned connection over I-495 between Vine Street and Oakwood Drive.

Given the proximity of the established residential community, the noise generated from traffic along I-495, and the Site's limited access, traditional office or even residential at 3 du/acre is not appropriate for this Site. A mini-storage facility is a logical land use for this property in that it would not adversely impact the existing residential neighborhood while creating a stable productive

September 10, 2009

commercial use for the property. The size of the Site allows for an adequate buffer from the neighboring residential uses. Access would be solely from Oakwood Road, not through the surrounding residential communities. Further, the mini-storage would not have the traditional school and traffic impacts, ensuring that the surrounding residential would not be impacted.

The use itself also provides benefits to the community as it provides storage options for local residents and businesses in the area, not only for traditional storage, but also potentially for gate secured and secondary storage for boats and RV's which are discouraged from being located on local residential streets. Self-storage is also "revenue positive" as it is a use that demands very little in the way County services, while ensuring the property is used for a stable commercial use.

Conclusion

Replanning this property consistent with current County noise policies would close a critical "gap" and mitigate noise for several established residential communities. Given positive impact on tax revenue, the minimal impact on traffic and schools, and ability to buffer the site, the proposed self-storage use is a logical and viable use of the property that better accommodates longstanding County policies than the current recommendation for office and/or residential. For these reasons, we respectfully request your support of this nomination.

\9881296.1

Rybold, Kimberly M.

From: Gill, David Robert-Jan [dgill@mcguirewoods.com]
Sent: Tuesday, October 13, 2009 3:04 PM
To: Rybold, Kimberly M.
Subject: RE: 2009-2010 South County APR Nomination PC 2009-060

I concur, please strike that sentence from our statement of justification.

David R. Gill
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102-4215
703.712.5039 (Direct Line)
703.712.5297 (Direct FAX)
dgill@mcguirewoods.com

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.

From: Rybold, Kimberly M. [mailto:Kimberly.Rybold@fairfaxcounty.gov]
Sent: Tuesday, October 13, 2009 2:49 PM
To: Gill, David Robert-Jan
Subject: 2009-2010 South County APR Nomination PC 2009-060

David R. Gill
McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

RE: South County APR Nomination: 10.58 acres in the Van Dorn Transit Station Area, Land Unit E

Dear Mr. Gill:

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 South County APR Nomination, assigned a temporary ID number of PC 2009-060, 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 *2009-2010 South County Area Plans Review Guide* and have the following concerns:

- In Part 6: Justification, you have indicated that the base recommendation for the subject property is residential at 2-3 dwelling units per acre. This recommendation applies to portions of Land Unit E south of the planned low-rise office use. Please advise me that you concur with my observation and I will strike the applicable sentence from your nomination.

Please confirm that this is your understanding as soon as possible. Failure to do so by October 27, 2009 may cause the nomination to be rejected.

APR# 09-IV-1RH
Page 9 of 10

10/13/2009

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.

Sincerely,

Kimberly M. Rybold

Fairfax County Department of Planning & Zoning
Planning Division
12055 Government Center Pkwy, Suite 730
Fairfax, Virginia 22035
703.324.1380 (office)
703.324.3056 (fax)