



# 2009-2010 SOUTH COUNTY AREA PLANS REVIEW

APR# 09-IV-22MV

PC 2009-050

## 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.

REVISED, based on 10/26/09 + 10/27/09 emails

### PART 1. NOMINATOR/AGENT INFORMATION

Name: Marianne Lowenthal Daytime Phone: (310) 228-2962

Address: c/o Combined Properties Incorporated, 1255 22nd Street NW, Ste. 600  
Washington, DC 20037

Nominator E-mail Address: mloenthal@combined.biz

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

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.) (See Attached Sheet)

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

Marianne Lowenthal is the Executive VP of Combined Properties Incorporated, the managing agent for the property

### PART 2. GENERAL INFORMATION

Check appropriate supervisor district(s):  Braddock  Lee  Mason  Mount Vernon  Springfield

Total number of parcels nominated: 12

Total aggregate size of all nominated parcels (in acres and square feet): 10.70 acres 469,746 square feet  
~~10.45~~ ~~455,702~~

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: (See Attached Sheet)

b. CURRENT PLAN MAP RECOMMENDATION: Retail use up to 35-FAR

c. CURRENT ZONING DESIGNATION: C-8; R-4

APR# 09-IV-22MV  
Page 1 of 13

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 Sheet) \_\_\_\_\_

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 Sheet) \_\_\_\_\_

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: up to 1.55 TOTAL Gross Square Feet: 705,408 sf 728,106 SF

Categories	Percent of Total FAR			Square feet		
	<del>0.5%</del>	<u>OPTION 1</u> 2.9%	<u>OPTION 2</u> 0%	<del>0-33,000 sf</del>	<u>OPTION 1</u> 21,115	<u>OPTION 2</u> 0
Office						
Retail	<del>4.1%</del>	7.1%	7.1%	<del>30,000-80,000 sf</del>	51,696	51,696
Public Facility, Govt & Institutional						
Private Recreation/Open Space						
Industrial						
Residential*	84.96%	90%	92.9%	<del>592,000-675,000</del>	655,296	676,411
<b>TOTAL</b>		<b>100%</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                    | <u>50-60 du/ac</u>                  |
| 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)	<del>538-614</del>	1,100 sf	<del>592,000-7675,000</del>
High-Rise Multifamily (9 + stories)	<u>OPT 1</u> 516	<u>OPT 2</u> 615	<u>OPT 1</u> 655,296
<b>TOTAL:</b>			<u>OPT 2</u> 676,411

**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.*

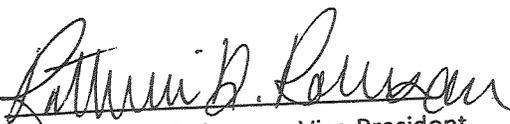
Tax Map Number	Street Address of Parcel if available	Name of Property Owner	Mailing Address of Owner	Parcel Size in Acres	Signature of Owner or Certified Receipt Number
0833 01 0007	6226 NORTH KINGS HWY	PENN DAW ASSOCIATES	c/o COMBINED PROPERTIES INC.	10.45	(See Attached Sheet)
		LIMITED PARTNERSHIP	1255 22ND ST NW SUITE 600		
			WASHINGTON DC 20036		

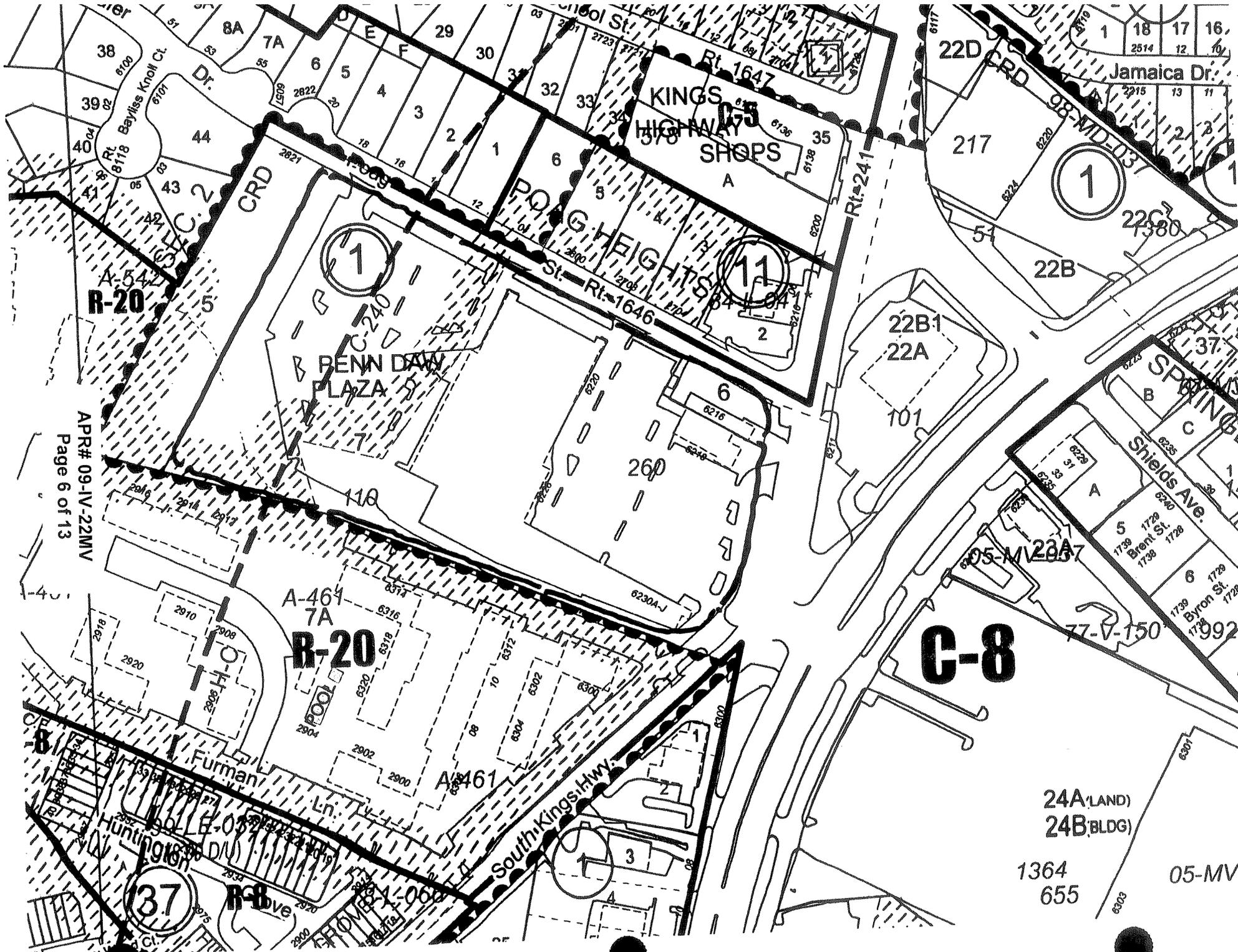
APR – 2009-2010 SOUTH COUNTY AREA PLANS REVIEW NOMINATION FORM

PART 1. NOMINATION INFORMATION

SIGNATURE OF OWNER:

PENN-DAW ASSOCIATES LIMITED PARTNERSHIP, a Virginia limited partnership  
By: PENN DAW GP, INC., a Delaware corporation, its sole general partner

By:   
Katherine D. Roberson, Vice President



APR# 09-IV-22MV  
Page 6 of 13

**R-20**

**R-20**

**C-8**

KINGS HIGHWAY  
SHOPS

PENN DAW PLAZA

POGG HEIGHTS

24A(LAND)  
24B(BLDG)

1364  
655

05-MV-(

(37)

(1)

(11)

(1)

(3)

Jamaica Dr.  
18 17 16  
2514 12 10

Shields Ave.  
5 1728  
6 1728

A-542

A-464

A-461

Furman Ln.

Huntington

FROM

ve

FROM

APR# 09-IV-22MV  
Page 6 of 13

**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.

**Penn Daw Community Business Center**

Major existing uses in the Penn Daw Community Business Center include the Penn Daw Shopping Center, and neighborhood and community-serving retail establishments. Stable residential neighborhoods about the Community Business Center on the east and northwest. A small office building at Franklin Street and Richmond Highway is representative of the small percentage of office use in this area. While there are multiple uses in this area located near the Huntington Transit Station, the uses are not well coordinated and do not encourage pedestrian or transit access. However, the location at the intersection of Richmond Highway and Kings Highway provides good auto accessibility and visibility.

Planned highway improvements will impact some uses at the intersection of Richmond Highway and Kings Highway creating an opportunity for a special landscaped area or other identifying landmark at this intersection. The Penn Daw Shopping Center is planned to remain as a community-serving retail center while the east side of Richmond Highway is planned to be redeveloped into a larger single use or as a mixed-use project comprised of residential, retail and office uses. Additional office uses are planned for the western side of Richmond Highway adjacent to the Fairhaven community.

The opportunity exists on the east side of Richmond Highway to create a large scale well designed mixed-use development as a focal point and core area of the Community Business Center. This area is envisioned as an integrated residential and commercial center which functions well within the context of adjacent existing or planned uses and incorporates high quality urban design elements to create a sense of identity.

Much of the area located to the east side of Richmond Highway contains steep slopes, a stream valley and other environmentally sensitive features which should be protected and any degraded natural conditions and functions restored.

**Land Unit H**

Land Unit H contains the Penn Daw Shopping Center and adjacent commercial uses between School and Poag Streets along North Kings Highway. The Penn Daw Shopping Center site is planned for retail use up to .35 FAR. Free-standing uses should be discouraged to preserve an opportunity for connections to the proposed "gateway park". Additional parking lot landscaping and the introduction of a landscaped berm between the front parking lot and North Kings Highway is encouraged.

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).

The existing Penn Daw Shopping Center lies within one of several Community Business Centers identified along Richmond Highway in the Comprehensive Plan. Due to the size of the parcel and its

separation from Richmond Highway by North Kings Highway, we believe that this is not an ideal site for retail with a regional draw, but that the site could support high-density residential with ancillary commercial uses in close proximity to future commercial development elsewhere in the immediate CBC. We propose a mixed-use development for this site at a density of up to approximately 1.55 FAR. While the dominant use would be multi-family residential, there would be complementary neighborhood serving retail and possibly office uses in buildings nearest Kings Highway on the eastern part of the site.

**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?)**

A new mixed-use development on the site of the Penn Daw Shopping Center would feature residential, retail, and potentially offices uses that form an integrated community. In general, the residential uses will be concentrated towards the rear portion of the site in keeping with the character of the residential neighborhoods behind the site. Ground floor retail establishments with residences or offices above them will be placed closer to Kings Highway to create a sense of vibrancy along the commercial corridor. Retail uses are likely to be neighborhood-serving uses with suites likely varying between 1,000 and 15,000 sf each. Similarly, the typical residential unit size would likely be approximately 935 net sf (1,100 sf gross per unit). In general, our vision is that that site would have between 30,000-80,000 sf of retail space, 0-33,000 sf of office space, and 592,000-675,000 sf (538-614 units) of residential area for a total FAR of up to approximately 1.55. Building heights would generally be 5-8 stories with reduced height near residential areas and with taller areas located based on the location of height measurements, site slopes, the effects of setbacks, and architectural façade articulation gestures.

We believe that having the ability to design a project within this density and with flexible amounts of each product type will allow us to successfully adapt to changing economic conditions over the next few years. Parking would be fully provided on-site in some combination of surface parking and above grade parking decks. Based on its transit proximity and shared uses, the project would provide ample parking by meeting or exceeding the following ratios: 4 spaces/1,000 sf retail, 30 spaces/1,000 sf office, and 1.5 spaces/residential unit. In general, well thought out internal vehicular, pedestrian and bike traffic circulation is essential. Vehicular traffic would be routed to strategically located surface or structured parking areas while the pedestrian pathways would be prominent features in and around the project. Restaurants and smaller retail shops would be clustered around sidewalks and walking pathways. The development would also incorporate a landscape plan that would ensure visitors and residents experience the thoughtful placement of trees and vegetation while on foot and from their units.

## **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).**

Under the current Fairfax County Comprehensive Plan, the site of the existing Penn Daw Shopping Center lies within the boundaries of a Community Business Center. This district is envisioned to provide neighborhood-serving retail, office, and residential uses at a higher density than those of the

surrounding neighborhoods. Additionally, two Zoning Overlay Districts apply to this site. The Commercial Revitalization Overlay District serves much the same purpose as the Community Business Center District—both promote the enhancement and redevelopment of older commercial properties. The Highway Corridor Overlay District, however, has goals that run somewhat counter to those stated in the Comprehensive Plan and the CRD Overlay. The Highway Corridor Overlay District (HCID) recognizes Route 1 as a major transportation corridor. The HCOD intends to expedite the movement of vehicular traffic along the highway. Our vision for the center in creating a vibrant mixed use development reconciles these two seemingly divergent goals of redeveloping older commercial properties and expediting highway traffic. In redesigning the center, it may also be possible to relocate or modify existing curb cuts to optimize traffic flow in and around the site. Of course, any new development on the site would follow green building principles and would incorporate the latest technology in sustainable building.

With major commercial development slated for sites on the east side of Route 1 - as one would expect with the larger parcel sizes - the west side of Route 1 is well-poised for residential development to support those commercial uses. The most significant way to accomplish the addition of commercial density without significantly affecting and increasing the traffic flow in the highway corridor is by significantly increasing the allowable residential density within the Commercial Business Centers. An increase in the residential population within walking distance of new commercial development will keep automobile trips to a minimum, while still providing a built in market for that commercial development.

The site of the Penn Daw Shopping Center is ideally suited for such an increase in allowable residential density. Its separation from Route 1 by Kings Highway makes it a less-than-ideal site for purely commercial development while being simultaneously appealing as a potentially predominantly residential site. New multi-family residential units can be located near Route 1 and the project's commercial uses for those that want a more urban experience while other units can be built toward the rear of the site providing a more tranquil, traditional residential experience. New façade articulation facing Kings Highway would also ensure more pleasant visual experience for motorists passing the project. The site is within walking distance of the Huntington Metro Station, filling a void for well-designed residences that are convenient to public transit. In sum, an increase of allowable density up to approximately 1.55 FAR will add somewhere between 540-615 households in the immediate vicinity of new retail and office uses.

**Van Dam, Meghan**

**From:** Jason Bohle [JBohle@combined.biz]  
**Sent:** Tuesday, October 27, 2009 12:29 PM  
**To:** Van Dam, Meghan  
**Subject:** RE: 2009-2010 South County APR nomination, PC 2009-050

Meghan,

Here it is:

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only. No Insurance Coverage Provided.)</i>	
For delivery information visit <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage	\$ 44
Certified Fee	2.80
Return Receipt Fee (Separate Receipt Required)	2.30
Restricted Delivery Fee (Separate Receipt Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.54</b>
Recipient Name <b>TREND INVESTMENT GROUP</b> Street, Apt. No. <b>14204 WHITE WATER WAY</b> City, State, ZIP+4 <b>GAITHERSBURG, MD 20878</b>	

Let me know if you have any further questions. Thanks.

Jason

**From:** Van Dam, Meghan [mailto:Meghan.VanDam@fairfaxcounty.gov]  
**Sent:** Tuesday, October 27, 2009 8:52 AM  
**To:** Jason Bohle  
**Subject:** RE: 2009-2010 South County APR nomination, PC 2009-050

Do you have the certified letter number?

**From:** Jason Bohle [mailto:JBohle@combined.biz]  
**Sent:** Monday, October 26, 2009 7:59 PM  
**To:** Van Dam, Meghan  
**Cc:** Marianne Lowenthal; 'Jon Eisen'  
**Subject:** FW: 2009-2010 South County APR nomination, PC 2009-050

Meghan,

Per our discussion this morning, I wanted to follow up with you in regards to the comments from your emails below. First, the revised tax parcel square footage and the additional land square footage owned by our adjacent property owner is summarized in a table below. In addition, this email includes new tables that reflect two different scenarios that we would like to propose. One scenario includes some office uses in addition to

**APR# 09-IV-22MV**  
**Page 10 of 13**

10/29/2009

residential and retail uses and one scenario contains purely retail and residential uses. I have also attached a copy of the letter and certified mail receipt which notifies our adjacent property owner that we are submitting his property for nomination as part of our application. Please let me know if I can be further of assistance. Thanks.

Jason

**Jason J. Bohle**  
**Senior Director of Development**  
 Combined Properties  
 9320 Wilshire Blvd., Suite 310  
 Beverly Hills, CA 90212  
 Tel: 310 205-9617  
 Fax: 310 228-2160  
 jbohle@Combined.Biz

	<b>Combined Penn- Daw Plaza Site</b>	<b>Adjacent Trend Inv. Group Site</b>	<b>Total</b>
SF	455,764	13,982	469,746
Proposed FAR	1.55	1.55	1.55
Buildable SF	706,434	21,672	728,106

	<b>Option w/ Office</b>		<b>Option w/out Office</b>	
	<b>% FAR</b>	<b>SF</b>	<b>% FAR</b>	<b>SF</b>
Office	2.9%	21,115	0.0%	-
Retail	7.1%	51,696	7.1%	51,696
Residential	90.0%	655,296	92.9%	676,411
Total	100.0%	728,106	100.0%	728,106
	<b>Units</b>	<b>SF</b>	<b>Units</b>	<b>SF</b>
Mid Rise Residential	596	655,296	615	676,411
Average Unit Size (sf)	1,100		1,100	

**From:** Marianne Lowenthal  
**Sent:** Thursday, October 22, 2009 11:40 A

**APR# 09-IV-22MV**  
**Page 11 of 13**

**To:** Jason Bohle  
**Subject:** FW: 2009-2010 South County APR nomination, PC 2009-050

**Marianne Lowenthal**

Executive Vice President  
Combined Properties, Inc.  
9320 Wilshire Blvd., Suite 310  
Beverly Hills, CA 90212  
Tel: 310 228-2962  
Fax: 310 228-2160  
[MLowenthal@Combined.Biz](mailto:MLowenthal@Combined.Biz)

CA Real Estate Lic. #10464914

**From:** Van Dam, Meghan [<mailto:Meghan.VanDam@fairfaxcounty.gov>]  
**Sent:** Thursday, October 22, 2009 10:44 AM  
**To:** Marianne Lowenthal  
**Cc:** Remer, Christopher B.  
**Subject:** RE: 2009-2010 South County APR nomination, PC 2009-050

Good Afternoon Ms. Lowenthal- I have found another point of clarification that requires a response on your APR nomination for the Penn Daw Plaza. It appears that you had encircled Parcel 6, in addition to Parcel 7, on your attachment map (Part 3), as part of your nominated area. However, you have not notified this property. Please notify this property and send a receipt of the certified letter to the Planning Commission Office as soon as possible, in addition to responding to the other questions below. Failure to do so by October 30, 2009 may cause the nomination to be rejected.

Thank you,

Meghan Van Dam  
703.324.1380

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**From:** Van Dam, Meghan  
**Sent:** Thursday, October 15, 2009 4:56 PM  
**To:** 'mlowenthal@combined.biz'  
**Cc:** Van Dam, Meghan  
**Subject:** 2009-2010 South County APR nomination, PC 2009-050

Marianne Lowenthal  
1255 22nd Street, NW, Suite 600  
Washington, DC 20037

RE: South County APR Nomination PC 2009-050

Dear Ms. Lowenthal:

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-2009-050, has been received by the Department of Planning and Zoning. I am the Department of Planning and Zoning

**APR# 09-IV-22MV**  
**Page 12 of 13**

10/29/2009

staff member assigned to review your nomination for technical compliance with the submission requirements. I have reviewed the nomination as set forth in the *Guide to the 2009 -2010 South County Area Plans Review* and have the following concerns.

In the table in Part 4g: TOTAL Floor Area Ratio (FAR) Proposed/ TOTAL Gross Square Feet, you have indicated ranges for square feet and percentages of each of the individual land uses, with a total not to exceed 705,408 square feet or 100%. As part of the application, you need to indicate a specific percentage and square foot for each land use component. The percentages need to add up to 100%, based on your Floor Area Ratio proposed and the corresponding square feet for these percentages must be expressed. The table is incomplete without them. The table for Residential Unit Types (Part H) should be updated as well.

In regards to the parcel size, the Fairfax County Department of Taxation Administration records your nominated parcel as 455,764 square feet, which would result in a total square footage of approximately 756,400, using the proposed 1.55 FAR. Please clarify the discrepancy between this size and your nomination.

Please clarify these issues by October 30, 2009. Failure to do so may cause the nomination to be rejected.

Please address your response to me at [meghan.vandam@fairfaxcounty.gov](mailto:meghan.vandam@fairfaxcounty.gov). You may also call with any questions, 703.324.1380.

Sincerely,

Meghan Van Dam

\*\*\*\*\*  
Meghan Van Dam  
Planning Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 730  
Fairfax, VA 22035  
(703) 324-1380 | office  
(703) 324-3056 | fax  
\*\*\*\*\*

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