

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 C. THOMAS, JR. ^{"Tom"} Daytime Phone: (703) 385-8282

Address: 11320 RANDOM HILLS ROAD, SUITE 325
FAIRFAX, VIRGINIA 22030

Nominator E-mail Address: wthomas@fspd.com

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

W.C. Thomas Jr.

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.) N/A

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

N/A

THIS BOX FOR STAFF USE ONLY
Date Received: <u>3/28/08</u>
Date Accepted: <u>4-9-08 cor</u>
Planning District: _____
Special Area: _____

PART 2. GENERAL INFORMATION

Check appropriate supervisor district: Lee Mount Vernon

Total number of parcels nominated: 12

Total aggregate size of all nominated parcels (in acres and square feet): 5.76 acres 251,062 square feet

Is the nomination a Neighborhood Consolidation Proposal? Yes No

Are the parcels within the Approved Sewer Service Area? 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 Guide to the 2008 BRAC APR 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 AREA IV PLAN EXCERPT; LOWER POTOMAC 4

FORT BELVOIR SECTOR (VILLAGE OF ACCOTINK)

b. CURRENT PLAN MAP DESIGNATION: NEIGHBORHOOD SERVING COMMERCIAL AND RESIDENTIAL

c. CURRENT ZONING DESIGNATION: C-8 and R-3

d. PROPOSED COMPREHENSIVE PLAN DESIGNATION: (NOTE: The proposal you submit with your nomination is the proposal that is to be presented to the task force and will be the subject of their consideration and vote). ADD: OPTION FOR MIXED USE HOTEL/OFFICE WITH RETAIL ON CONSOLIDATION OF SUBSTANTIAL/ADEQUATE PARCELS

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?)
HOTEL, OFFICE OR COMBINATION WITH 1ST FLOOR RETAIL/RESTAURANT USES. BUILDING HEIGHTS: 6 STORIES MAX.

f. NON-RESIDENTIAL: Check the appropriate use: Office Retail Govt/Institutional
 Industrial Open Space
 Mixed Use (specify uses in table)

g. TOTAL Floor Area Ratio (FAR) Proposed: 1.2 FAR TOTAL Gross Square Feet: 300,000

Categories	Percent of Total FAR	Square feet
Office /HOTEL	80% up to 100%	240,000 - 300,000
Retail	20%	approx. 30 - 60,000
Public Facility, Govt & Institutional	<i>* See p. 11 for proposal classification table.</i>	
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) | 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:			

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, PC
Attorneys and Counsellors at Law
11320 RANDOM HILLS ROAD, SUITE 325
FAIRFAX, VIRGINIA 22030
Phone: 703-385-8282
Facsimile: 703-385-8761
email: wthomas@fspd.com

28 March 2008

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

Statement of Justification
Area Plan Nomination
Properties at Map# 109-1-01-29,30,31,32,35,36,37,38,39,40,41,42

Dear Mr. Chairman and Members of the Planning Commission:

In justification for the nomination of the subject properties, and on behalf of 9140 Backlick LLC, the owner of Parcel 31, the following is submitted.

The subject properties form a well defined building envelope for the development of a commercial building in this area substantially surrounded by and serving Fort Belvoir. Present Plan language calls for neighborhood serving commercial and varying levels of residential. This nomination proposes, in addition to the existing language for the individual parcels, the option for the development of a hotel and/or office with a retail component on the consolidation of some or all of the subject parcels. Based on the needs anticipated for Fort Belvoir and standards for the development of offices serving military/defense locations, this proposal allows for a conforming office development close to the served facility. If a hotel is developed, it will serve BRAC related needs for corporate, military, and extended stay quarters.

As this proposal focuses on the properties fronting on Richmond Highway, primarily already zoned C-8 Commercial, and by consolidation increases its site amenity (landscaping, buffering, setbacks, etc.) potential, it is a project which can meet the needs associated with defense contracting standards while also blending into and not encroaching on existing residential and church uses located within the Village of Accotink. This proposal, therefore, enhances existing policy goals for the area and allows for the development of a project which meets very real needs in this Fort Belvoir serving area.

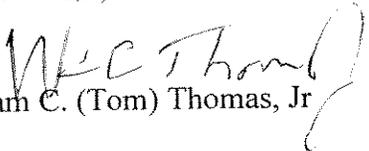
Fairfax County Planning Commission
28 March 2008
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While no specific development has been planned as yet on this site, interest related to BRAC needs and opportunities has been steady and, with BRAC time frames in mind, it is anticipated that a specific proposal for development will be brought to the County in the near future.

Thank you for your kind consideration of and attention to this proposal. We look forward to the discussions and deliberations which will further define this request.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, PC


William C. (Tom) Thomas, Jr

enclosures

c. 9140 Backlick LLC

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.

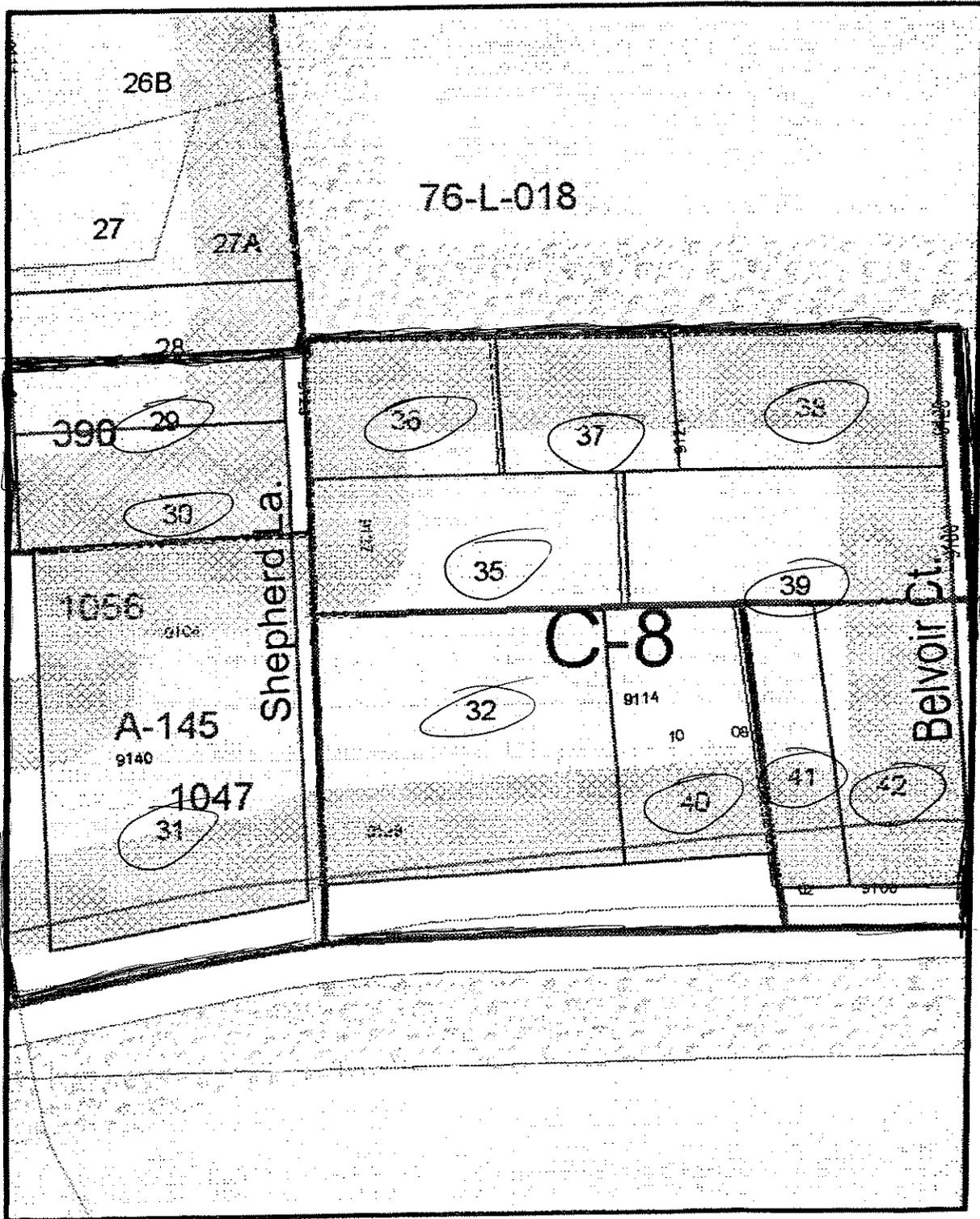
Tax Map Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size in Acres Sq. Ft.	Signature of Owner or Certified Receipt Number
1091-01-0029	Martini, Robert D.	9121 Backlick Road	9121 Backlick Rd. Ft. Belvoir, VA 22060	10,206	7003 1010 0001 9695 4811
1091-01-0030	A I, Inc.	9123 Backlick Road	P.O. Box 2941 Springfield, 22152	14,775	7003 1010 0001 9695 4828
1091-01-0031	9140 Backlick LLC	9140 Richmond Highway	44050 Ashburn Pz #195-630 Ashburn, VA 20147	52,185	7003 1010 0001 9695 4835
1091-01-0032	BK CH Inc. #1835 Burger King Corp	9128 Richmond Highway	P.O. Box 020783 Miami, FL 33102	41,407	7003 1010 0001 9695 4842
1091-01-0035	Griffin, WE et ux English, Artie et ux	9127 Shepherd Lane	2617 E. Maple St. Alexandria, VA 22306	21,405	7003 1010 0001 9695 4859
1091-01-0036	Hicks, Raymond Hicks, Virginia	9123 Shepherd Lane	9123 Shepherd Ln, Ft. Belvoir, VA 22060	12,388	7003 1010 0001 9695 4866
1091-01-37,39,41,42	Amin, Satish	9124 Belvoir Ct. 9130 Belvoir Ct. 9102 Richmond Hwy 9100 Richmond Hwy	P.O. Box 2941 Springfield, VA 22152	12,355 21,780 10,890 17,424	7003 1010 0001 9695 4873
1091-01-38	American Tower LP	9128 Belvoir Ct	P.O. Box 723597 Atlanta, GA 31139	17,701	7003 1010 0001 9695 4880
1091-01-0040	Kim, Ki O. Kim, Shawn S.	9114 Richmond Hwy	6205 Old Keene Mills Court HFI Prop.Mgt. Springfield, VA 22152	18,546	7003 1010 0001 9695 4897

A substantial buffer utilizing existing tree cover along Richmond Highway and Telegraph Road should be part of the site design.

As an option, parcels 47 and 47A may be considered for residential use at 4 to 6 dwelling units per acre subject to the following conditions: the housing for the elderly on Parcel 47B not intensifying above that on the approved development plan; full consolidation of parcels 47 and 47A; the provision of buffering and screening adjacent to the housing for the elderly facility and Fort Belvoir; maintaining parcel 47 as open space; and providing a substantial buffer utilizing existing tree cover along Route 1 and Telegraph Road as part of the site design.

5. The non-military area known as the Village of Accotink is planned to generally maintain its current uses and densities/intensities as follows:

- A. Neighborhood-serving commercial use is planned along Route 1 (Tax Map 109-1((1))3, 11, 12, 32 and 40). There should be no expansion or intensification of the existing commercial uses.
- B. Residential use at 2-3 dwelling units per acre is planned generally along Backlick Road as shown on the Plan map.
- C. Residential use at 5-8 dwelling units per acre is planned generally east of Shepherd Lane (Tax Map 109-1((1))35, 36, 37, 38 and 39) provided that the development achieves good design, substantial parcel consolidation, and buffering and screening along any portion of the property line adjacent to an existing commercial use or single-family detached dwelling unit.
- D. Residential use at 12-16 dwelling units per acre is planned along Route 1 and east of Shepherd Lane (Tax Map 109-1((1))41 and 42). Affordable housing at 16-20 dwelling units per acre is planned east and west of Anderson Lane (Tax Map 109-1((1))1, 2, 8, 9 and 10) and along Route 1 west of Shepherd Lane (Tax Map 109-1((1))31). These planned land uses generally reflect existing uses and densities, except for the area adjacent to Anderson Lane to the east (Tax Map 109-1((1))8, 9 and 10) which contains single-family dwelling units. Parcels 8, 9 and 10 may be redeveloped at 16-20 dwelling units per acre, if the development provides good design, substantial parcel consolidation and buffering and screening between any property line which is adjacent to an existing commercial use or a single-family detached dwelling unit.
- E. The Methodist Church in the Village of Accotink and environs is a local landmark and should be considered for inclusion in an historic district. Any future development or redevelopment in the area should be compatible with the church in terms of design, mass, scale, height, color, type of material and visual impact.
- F. Protective landscape buffer treatment should be utilized in those cases where commercial development could alter the residential character within the Village of Accotink.



Klibaner, Aaron K.

From: William 'Tom' Thomas [wthomas@fspd.com]
Sent: Friday, April 25, 2008 3:13 PM
To: Klibaner, Aaron K.
Subject: RE: Fairfax County BRAC APR Nomination-clarification

Revised per call 4-25-08...

Aaron: Please amend the application as discussed and as follows:

Scenario A: Hotel dominant
 Hotel: 70% 210,000 sq. ft.
 Retail: 20% 60,000 sq. ft.
 Office: 10% 30,000 sq. ft.

Scenario B: Office dominant
 Office: 80% 240,000 sq. ft.
 Retail: 20% 60,000 sq. ft.

Thank you again.

Tom

William C. "Tom" Thomas, Jr.
 Fagelson, Schonberger, Payne & Deichmeister, PC
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NOTICE: The information contained in (and attached to) this e-mail is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney/client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you received this communication in error, please notify us immediately by reply e-mail, and delete the original message (including attachments).

From: Klibaner, Aaron K. [mailto:Aaron.Klibaner@fairfaxcounty.gov]
Sent: Friday, April 25, 2008 9:47 AM
To: William 'Tom' Thomas
Subject: RE: Fairfax County BRAC APR Nomination-clarification

Mr. Thomas:

Thank you for the quick reply on this, I also received your telephone call on this matter. I apologize for the comment about your meeting with Marianne Gardner, I am new and have been thrown into so many meetings and told about so many meetings that I can't quite keep them all straight! Anyway, I did just have one follow-up question regarding the breakdowns you provided below. I noticed that the square footage numbers for the ancillary office component and its percentage were missing from scenario A, and the ancillary hotel square footage number and percent was missing from Scenario B. The total for the proposed development in your original nomination was for 300,000 s.f., and now the figures below total to 270,000 s.f. Are you now proposing a mixed use with just the two uses, retail plus office and retail plus hotel, or did you mean to still have all three uses in each scenario?

If you could just clarify this last issue for me, we will be good to go.

Thank you,

BRAC# 08-IV-1LP
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4/25/2008

Klibaner, Aaron K.

From: William 'Tom' Thomas [wthomas@fspd.com]
Sent: Thursday, April 24, 2008 2:21 PM
To: Klibaner, Aaron K.
Subject: RE: Fairfax County BRAC APR Nomination-clarification

Aaron: Please amend the application as discussed and as follows:

Scenario A: Hotel dominant

Hotel: 80% 240,000 sq. ft.

Retail: 20% 30,000 sq. ft.

Scenario B: Office dominant

Office: 80% 240,000 sq. ft.

Retail: 20% 30,000 sq. ft.

Thank you again.

Tom

William C. "Tom" Thomas, Jr.

Fagelson, Schonberger, Payne & Deichmeister, PC

11320 Random Hills Road, Suite 325

Fairfax, Virginia 22030

From: Klibaner, Aaron K. [mailto:Aaron.Klibaner@fairfaxcounty.gov]
Sent: Wednesday, April 16, 2008 10:33 AM
To: William 'Tom' Thomas
Subject: RE: Fairfax County BRAC APR Nomination-clarification

Mr. Thomas:

Thank you for your quick reply to my inquiry regarding BRAC APR 08-IV-1LP, your Accotink Village proposed plan amendment. I appreciate your desire to remain flexible in your development priorities, and I can understand why you wish to submit broad ranges for the percentages of office versus hotel as part of a mixed use nomination. Unfortunately, we will not be able to evaluate your nomination based on a percentage range, we must have a specific percentage figure for office and hotel within a single mixed use proposal. I would refer you to page 15 of the BRAC APR Area Plans Review Guide, and the last paragraph which states "If you are proposing Mixed Use or Alternative Use, the percentage, intensity/density, and square footage of the different types of uses in the mix must be specified". The Guide can be found at www.fairfaxcounty.gov/dpz and follow these links: BRAC Area Plans Review/2008 BRAC Area Plans Review/Guide to the 2008 BRAC Area Plans Review (APR).

What I would suggest is that you develop 2 different scenarios, one that gives exact percentages for a dominant hotel/ancillary office/retail mixed use project, and one that gives exact percentages for a dominant office/ancillary hotel/retail mixed use project. These would replace the broad range of percentages that you submitted in your last e-mail. I hope this clarifies what we need to complete your nomination form. Please call me with any questions you might have. Please keep in mind that this issue must be addressed within 9 days of this e-mail.

Thank you,

Aaron Klibaner, AICP

Planner II

Fairfax County Department of Planning & Zoning

703-324-1497 phone

703-324-3056 fax

BRAC# 08-IV-1LP
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4/25/2008

Aaron.Klibaner@fairfaxcounty.gov

From: William 'Tom' Thomas [mailto:wthomas@fspd.com]
Sent: Tuesday, April 15, 2008 3:59 PM
To: Klibaner, Aaron K.
Subject: RE: Fairfax County BRAC APR Nomination-clarification

Aaron:

Hotel: 10% to 80% 30,000 to 240,000 sq. ft.
Office: 10% to 80% 30,000 to 240,000 sq. ft.
Retail: 20% 30,000 to 60,000 sq. ft.

Though the percentages of office to hotel are somewhat broad, it is hoped that this may remain flexible to accommodate development priorities once established more specifically...It is envisioned that, if developed with a hotel, this would be the dominant use, with office as ancillary. If developed primarily for office, it may be that no hotel use would make sense. This said, the property is located such that either use, or both, would be valuable for BRAC needs.

Thank you for your attention to and consideration of this application. Please call with any questions, concerns, or if you need further elaboration.

Tom
William C. "Tom" Thomas, Jr.
Fagelson, Schonberger, Payne & Deichmeister, PC
11320 Random Hills Road, Suite 325
Fairfax, Virginia 22030

From: Klibaner, Aaron K. [mailto:Aaron.Klibaner@fairfaxcounty.gov]
Sent: Tuesday, April 15, 2008 2:44 PM
To: wthomas@fspd.com
Subject: Fairfax County BRAC APR Nomination-clarification

Dear Mr. Thomas:

I am the planner that is reviewing your Fairfax County BRAC APR Nomination for the Accotink Village area in the Ft. Belvoir Planning Sector of the Lower Potomac Planning District. Upon reviewing your nomination form, under your description of the proposed plan nomination you failed to give a percentage breakdown for the office/hotel combination mixed use. In the table in part g. you specify 80-100% for office/hotel, but not what the percentage of each would be in a mixed use development combination.

Please provide a percentage breakdown for office and hotel separately as part of a combined mixed use development. Please forward this information to me within 10 days of the date of this letter in order to avoid rejection of your proposed nomination from the BRAC APR process.

Thank you,

Aaron Klibaner

*Aaron Klibaner, AICP
Planner II
Fairfax County Department of Planning & Zoning
703-324-1497 phone
703-324-3056 fax
Aaron.Klibaner@fairfaxcounty.gov*

**BRAC# 08-IV-1LP
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Impacts Table 08-IV-11LP

Total Units	Residential				Nonresidential				Total Sq. Ft.	
	Res. S.F.	Single Family Detached		Multifamily		Retail Sq. Ft.	Public Facilities			Hotel Sq. Ft.
		Low Rise	High Rise	Mid Rise	High Rise					
33	19,908	1	32	---	---	7,970	912	300	210,000	300,000
---	---	---	---	---	---	60,000	30,000	---	---	---
---	---	---	---	---	---	60,000	240,000	---	0	300,000

*Existing Development:
 Alt. 1: Proposed Plan: Option for Hotel (70%), Retail (20%), Office (10%) at 1.2 FAR with parcel consolidation.
 Alt. 2: Proposed Plan: Option for Office (80%) w/retail (20%) at 1.2 FAR with parcel consolidation.

*Existing Land Use

PIN	Area (ac)	Land Use	DU	GFA
109-1(1)229	0.2	Single family detached	1	2,112
109-1(1)300	0.3	Vacant land	---	---
109-1(1)311	1.2	Garden apartments	32	19,908
109-1(1)321	0.95	Restaurant	---	2,530
109-1(1)325	0.49	Vacant land	---	---
109-1(1)336	0.28	Office	---	912
109-1(1)337	0.28	Vacant land	---	---
109-1(1)338	0.4	Cell tower and equip. shed	---	500
109-1(1)339	0.5	Vacant land	---	---
109-1(1)340	0.43	Specialty shopping ctr.	---	5,040
109-1(1)341	0.25	Vacant land	---	---
109-1(1)342	0.4	Vacant land	---	---
Total	5.76 +/-			31,402

Zoning Potential

PIN	Zoning	Office		Hotel/Retail	
		S.F.	S.F.	S.F.	S.F.
109-1(1)229	R-3	---	---	---	---
109-1(1)300	R-3	---	---	---	---
109-1(1)311	C-5	4,704	15,682*	---	---
109-1(1)321	C-8	10,346	20,691	---	---
109-1(1)325	C-8	5,336	10,672	---	---
109-1(1)326	C-8	3,049	6,098	---	---
109-1(1)327	C-8	3,049	6,098	---	---
109-1(1)336	C-8	4,356	8,712	---	---
109-1(1)337	C-8	5,445	10,890	---	---
109-1(1)338	C-8	4,683	9,365	---	---
109-1(1)339	C-8	2,723	5,445	---	---
109-1(1)340	C-8	4,356	8,712	---	---
109-1(1)341	C-8	48,047	102,365	---	---
109-1(1)342	C-8	---	---	---	---
Total		79,700	151,500	---	---

*Retail only.

Current Plan Potential

PIN	Retail & Other S.F.	Res. 2-3 du/ac		Res. 5-8 du/ac		Res. 12-16 du/ac		Res. 16-20 du/ac	
		SFD	TH	SFD	TH	SFD	TH	SFD	TH
109-1(1)229	---	---	---	---	---	---	---	---	---
109-1(1)300	---	---	---	---	---	---	---	---	---
109-1(1)311	---	---	---	---	---	---	---	---	24
109-1(1)321	2,930	---	---	---	---	---	---	---	---
109-1(1)325	---	---	---	---	---	---	---	---	---
109-1(1)326	---	---	---	---	---	---	---	---	---
109-1(1)327	---	---	---	---	---	---	---	---	---
109-1(1)336	---	---	---	---	---	---	---	---	---
109-1(1)337	---	---	---	---	---	---	---	---	---
109-1(1)338	---	---	---	---	---	---	---	---	---
109-1(1)339	5,040	---	---	---	---	---	---	---	---
109-1(1)340	---	---	---	---	---	---	---	---	---
109-1(1)341	---	---	---	---	---	---	---	---	---
109-1(1)342	---	---	---	---	---	---	---	---	---
Total	7,970	2	15	---	---	---	---	---	24

Note: Retail & other s.f. reflects current plan text that states no future expansion of existing retail uses along Rt. 1 in the Accotink Village area.