

NOMINATION FORM

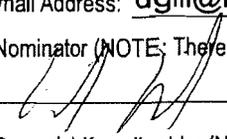
TYPE OR PRINT RESPONSES IN BLACK INK

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, Esquire Daytime Phone: 703-712-5039
Address: McGuireWoods LLP, 1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

Nominator E-mail Address: dgill@mcguirewoods.com

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


THIS BOX FOR STAFF USE ONLY	
Date Received:	<u>6/27/08</u>
Date Accepted:	<u>7-25-08 cbr</u>
Planning District:	<u>HM</u>
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.

Agent on behalf of Kettler, Inc.

PART 2. GENERAL INFORMATION

Check appropriate supervisor district: Dranesville Hunter Mill Providence Sully

Total number of parcels nominated: 43

Total aggregate size of all nominated parcels (in acres and square feet): 34.06 acres 1,483,541 square feet

Is the nomination a Neighborhood Consolidation Proposal? Yes No

Are you aware that proposals that generate more than 5,000 vehicle trips per day over the current adopted Comprehensive Plan will trigger additional VDOT review? (See pages 8-9 for more information.) Yes No

PART 3: PROPERTY INFORMATION – Attach either the Property Information Table found at the end of this application form or a separate 8½ x 11 page (landscape format) identifying all the nominated parcels utilizing the format as shown in the Table found at the end of this application.

All subject property owners must be sent written notice of the nomination by certified mail unless their signature(s) appears in Part 1 (above).

IMPORTANT NOTE: Any nomination submitted without originals or copies of all the postmarked certified mail receipt(s) and copies of each notification letter and map will not be accepted.

PART 4: CURRENT AND PROPOSED COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

See Section IV of the APR Guide for instructions.

a. CURRENT COMPREHENSIVE PLAN TEXT for nominated property: Use the Plan on the Web (www.fairfaxcounty.gov/dpz/) for your citation. It is the most current version: See attachment

b. CURRENT PLAN MAP DESIGNATION: Mixed-use

c. CURRENT ZONING DESIGNATION: I-4

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). Mixed-use. See attached statement of justification narrative.

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?) Residential/mixed-use up to 2.5 FAR. See attached statement of justification narrative.

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: 2.5 TOTAL Gross Square Feet: 3,708,852

Categories	Percent of Total FAR	Square feet
Office	Consistent with existing plan guidance	for the land unit.
Retail		
Public Facility, Govt & Institutional		
Private Recreation/Open Space		
Industrial		
Residential*		
TOTAL	100%	

*If residential is a component, provide the approximate number and size of each type of dwelling unit proposed in the chart below based on the approximate square footage.

h. RESIDENTIAL COMPONENT (Select the appropriate density range proposed and complete the table to the right):

- | | |
|---|--|
| <input type="checkbox"/> .1 - .2 du/ac (5-10 acre lots) | <input type="checkbox"/> 5 - 8 du/ac |
| <input type="checkbox"/> .2 - .5 du/ac (2-5 acre lots) | <input type="checkbox"/> 8 - 12 du/ac |
| <input type="checkbox"/> .5 - 1 du/ac (1 - 2 acre lots) | <input type="checkbox"/> 12 - 16 du/ac |
| <input type="checkbox"/> 1 - 2 du/ac | <input type="checkbox"/> 16 - 20 du/ac |
| <input type="checkbox"/> 2 - 3 du/ac | <input type="checkbox"/> 20+ (specify 10 unit density range) |
| <input type="checkbox"/> 3 - 4 du/ac | |
| <input type="checkbox"/> 4 - 5 du/ac | |

Residential Unit Types			
Unit Type	Number of Units	Unit Size (sq ft)	Total Square Feet
Single Family Detached	consistent with	existing plan	guidance
Townhouse	for the land unit		
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 May 1, 2008 and June 27, 2008 to:



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

Wiehle Avenue APR
Property Information Table

	Tax Map Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size In Acres	Parcel Size in Sq. Ft.	Signature of Owner or Certified Receipt Number
1	0174 01 0017A	Fairfax County Board of Supervisors	1860 Wiehle Avenue	12000 Government Center Pkwy Suite 533 Fairfax, VA 22035	9.01	392,621	70042510000015958878
2	0174 19 0001	RPB and M LLC	11407 Sunset Hills Road	P.O. Box 8008 Reston, VA 20195	0.50	21,780	70042510000015958861
3	0174 19 0002	RPB and M LLC	N/A	P.O. Box 8008 Reston, VA 20195	0.50	21,780	70042510000015958854
4	0174 19 0003	RPB and M LLC	11411 Sunset Hills Road	P.O. Box 8008 Reston, VA 20195	0.50	21,780	70042510000015958847
5	0174 19 0004	RPB and M LLC	N/A	P.O. Box 8008 Reston, VA 20195	0.50	21,780	70042510000015958830
6	0174 19 0005A	RPB and M LLC	11401 Sunset Hills Road	P.O. Box 8008 Reston, VA 20195	1.24	53,906	70042510000015958809
7	0174 19 0006A	RPB and M LLC	11403 Sunset Hills Road	P.O. Box 8008 Reston, VA 20195	1.35	59,013	70042510000015958823
8	0174 24 0003	Comstock Partners LC	11485 Sunset Hills Road	14800 Conference Center Drive c/o Rockcrest Group, Suite 201 Chantilly, VA 20151	3.48	151,759	
9	0174 24 0004A	Maximus Properties LLC	11419 Sunset Hills Road	11419 Sunset Hills Road Reston, VA 20190	2.77	120,499	70042510000015958816
10	0174 24 0004B	Section 913 LP	11417 Sunset Hills Road	c/o R. H. Hagner & Co. Inc. 102 Shendan Avenue AAFMAA Arlington, VA 22211	1.68	72,986	70042510000015958793
11	0174 24 0005	Kaiser Foundation Health	11445 Sunset Hills Road	2101 East Jefferson Street Rockville, MD 20852	5.44	237,162	70042510000015958311
12	0174 20A 0001	BCCM LLC	11367 Sunset Hills Road	2261 Cedar Cove Court Reston, VA 20191	5.00	217,800	70042510000015958328
13 *	0174 20A 0002	Beverly Patricia Sullins Miller, TR	11365 Sunset Hills Road	405 Walker Road Great Falls, VA 22066			70042510000015958335
14	0174 20A 0003	BBLMT Associates	11363 Sunset Hills Road	11363 Sunset Hills Road Suite 3 Reston, VA 20190			70042510000015958342
15	0174 20A 0004	BBLMT Associates	11361 Sunset Hills Road	11361 Sunset Hills Road Reston, VA 20190			70042510000015958359
16	0174 20B 0005	John A. Mercantini, TR Evelyn S. Mercantini, TR	11351 Sunset Hills Road	2212 Spinnaker Court Reston, VA 20191			70042510000015958366
17	0174 20B 0006	John D. Farrell, Jr., MD Medical Investments LLC	11349 Sunset Hills Road	25252 Planting Field Drive Chantilly, VA 20152			70042510000015958373
18	0174 20B 0007	Gil L. Blankespoor	11347 Sunset Hills Road	2003 Lakeport Way Reston, VA 20191			70042510000015958380
19	0174 20B 0008	Azure Sunset LLC	11345 Sunset Hills Road	11345 Sunset Hills Road Suite 8 Reston, VA 20190			70042510000015958397
20	0174 20C 0009	11343 Sunset Hills Road LLC	11343 Sunset Hills Road	557 Mingate Avenue Boulder, CO 80304			70042510000015958403
21	0174 20C 0010	Reston Medical Leasing, LLC	11341 Sunset Hills Road	11341 Sunset Hills Road Suite 10 Reston, VA 20190			70042510000015958410
22							70042510000015958427

Wiehle Avenue APR
Property Information Table

Tax Map Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size in Acres	Parcel Size in Sq. Ft.	Signature of Owner or Certified Receipt Number
22	Muss Investments LLC	11339 Sunset Hills Road	Vienna, VA 22181			70042510000015958434
23	KBG LLC	11337 Sunset Hills Road	Unit D Herndon, VA 20170			70042510000015958441
24	Lawrence Lammers Jean C. Lammers	11335 Sunset Hills Road	11134 Timberhead Lane Reston, VA 20191			70042510000015958465
25	Lawrence Lammers Jean C. Lammers	11333 Sunset Hills Road	11134 Timberhead Lane Reston, VA 20191			70042510000015958472
26	11331 Sunset Hills Road LLC	11331 Sunset Hills Road	557 Wingate Avenue Boulder, CO 80304			70042510000015958489
27	Sunset Hills Enterprises Azure Properties III	11329 Sunset Hills Road	626 D Grant Street Business Center Herndon, VA 20170			70042510000015958496
28	Arthur J. Novick Nancy E. Novick	11327 Sunset Hills Road	11300 Stoneledge Court Reston, VA 20191			70042510000015958502
29	Arthur J. Novick Nancy E. Novick	11325 Sunset Hills Road	11325 Sunset Hills Road Suite 18 Reston, VA 20190			70042510000015958519
30	Robert W. Gurney	11315 Sunset Hills Road	11315 Sunset Hills Road Suite 19 Reston, VA 20190			70042510000015958526
31	John Sullivan, TR Mary M. Sullivan, TR	11313 Sunset Hills Road	11500 Fairway Drive Apartment 602 Reston, VA 20190			70042510000015958533
32	John Sullivan, TR Mary M. Sullivan, TR	11311 Sunset Hills Road	11500 Fairway Drive Apartment 602 Reston, VA 20190			70042510000015958540
33	John Sullivan, TR Mary M. Sullivan, TR	11309 Sunset Hills Road	11500 Fairway Drive Apartment 602 Reston, VA 20190			70042510000015958557
34	Sunhill Investment Partners	11317 Sunset Hills Road	8112 Bright Meadows Lane Dunn Loring, VA 22027			70042510000015958564
35	Chironrunner LLC	11319 Sunset Hills Road	11319 Sunset Hills Road Suite 24 Reston, VA 20190			70042510000015958571
36	321 HMS LLC	11321 Sunset Hills Road	11321 Sunset Hills Road Suite 25 Reston, VA 20190			70042510000015958588
37	JCB Management Co., LLC	11323 Sunset Hills Road	11323 Sunset Hills Road Suite 26 Reston, VA 20190			70042510000015958595
38	Frederick N. Dibbs, TR Howard M. Lando Revocable Trust	11353 A Sunset Hills Road	11353 A Sunset Hills Road 1900 Windmill Lane Alexandria, VA 22307			70042510000015958601
39	Howard M. Lando Revocable Trust Trudi E. Lando Revocable Trust	11355 Sunset Hills Road	1900 Windmill Lane Alexandria, VA 22307			70042510000015958618
40	Howard M. Lando, TR Trudi E. Lando, TR	11357 Sunset Hills Road	1900 Windmill Lane Alexandria, VA 22307			70042510000015958625

Wiehle Avenue APR
Property Information Table

Tax Map Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size In Acres	Parcel Size in Sq. Ft.	Signature of Owner or Certified Receipt Number
0174 20G 0030	Sunset Hills Associates	11359 Sunset Hills Road	11359 Sunset Hills Road Suite 30 Reston, VA 20190			70042510000015958632
0174 01 0020	Reston Investments LLC	11301 Sunset Hills Road	1856 Old Reston Avenue Reston, VA 20190	1.79	77,968	70042510000015958649
0174 01 0017B	Reston Investments LLC	N/A	1856 Old Reston Avenue Reston, VA 20190	0.29	12,707	70042510000015958656
TOTAL				34.06	1,483,541	
Note: Acreage for office condos is 5.0 and includes 17-4-(20)-1-30, A-F						
Doc. 6366474v1						

Part 6: Justification

Introduction (Wiehle Avenue)

With the announcement that the Federal Transit Administration (FTA) will support Phase I of the Dulles Metro rail extension, the long planned Wiehle Avenue Metro Station is rapidly becoming a reality. Thus, similar to the Tysons Corner Urban Center study, this nomination is the proper vehicle to re-examine the existing Comprehensive Plan guidance for the area near the station in advance of the changes that the extension of Metro will bring. This nomination will also make the area more consistent with emerging County policies such as Transit-Oriented Development (TOD) and the most recent iterations of the Tysons Corner Urban Center study.

Overview of Proposed Nomination

The subject area of this nomination is the 34 acres that comprise Sub-Unit G-4 of the Reston-Herndon Suburban Center. This area is completely within the identified Transit Station Area and is entirely within ¼ mile (5-minute walk) of the Metro station. The nominator is seeking a comprehensive plan recommendation that unifies the historic planning and public-private partnership efforts to create the appropriate incentive to concentrate redevelopment on the sub-unit closest to the Metro station. This will provide opportunity to create a true transit-oriented and sustainable community. With that background, the nominator proposes a uniform recommendation of residential/mixed use up to a 2.5 FAR for the totality of sub-unit.

Site Context

The Wiehle Avenue Metro will be first station along the Dulles Corridor and represents a unique opportunity to begin to transform the character of the corridor from primarily suburban, surface-parked, office product to a truly transit-accessible, mixed-use center. As the critical transit asset will be less than a 5-minute walk from the entire nomination area, it has the potential to become the engine to catalyze the change necessary for comprehensive redevelopment. Given the suburban nature of the Dulles Corridor, adding mixed-use, multi-family residential options near a transit station is key to providing true options for residents to live, work, shop and play without having to get into their cars. This is also in furtherance of the TOD Policy 1, which calls for “[f]ocus[ing] and concentrate[ing] the highest density or land use intensity close to the rail transit station, and where feasible, above the rail transit station,” and Policy 4, Mix of Land Uses, which seeks to “[p]romote a mix of uses to ensure the efficient use of transit, to promote increased ridership during peak and off-peak travel periods in all directions, and to encourage different types of activity throughout the day.”

The sub-unit is also ideally suited for redevelopment because of the surrounding uses. The site is buffered on the south and east by the Dulles Toll Road and Wiehle Avenue, respectively. To the north, across the W & OD Trail, is the Isaac Newton Square office development and to the west is a smattering of office uses as well.

Limitations of the current Plan

While the existing plan language anticipates some transit options being extended to this sub-unit, the existing language does not reflect an appropriate mix of uses that is in-line with current market trends and maximizes the opportunity that the Metro station presents. Therefore, this nomination clarifies the proposed mix of uses to allow that individual blocks do not have to comply with the artificial use allocations contained in the plan as long as the overall sub-unit does comply with the allocation of uses. This critical change will allow individual projects to proceed as residential mixed-use or commercial mixed-use as appropriate based on market considerations, while still furthering the overall goal of creating a true TOD within the land unit.

Further, the current plan contains a uniform recommendation of a height limit of 140'. This uniform recommendation on height can lead to a stagnant and uninteresting presence at a critical location. Rather, there should be the incentive to create iconic or architecturally-significant buildings, which will contribute to the creation of a sense of place. Therefore, the nominator is proposing that the average height of buildings within the land unit not exceed 140'. Individual buildings may exceed that height limit in order to create a varied and more interesting skyline and provide the opportunity to create architecturally-significant structures.

Lastly, much of the existing stormwater run-off in the area does not comply with modern requirements for stormwater management, both in terms of quality and quantity. Given the size of the land unit and the era of development within the land unit, there is an opportunity to provide the incentive to significantly improve stormwater management. The result is that this nomination will further Land Use Objective 11, Policy d, which calls for optimizing stormwater management and water quality controls and practices for residential redevelopment, and Chesapeake Bay Supplement Recommendation 34, which states, “[d]evelop recommendations for amendments to the County Code and/or Public Facilities Manual, as applicable, to consider the establishment of stormwater management requirements for redevelopment that will provide for reduced stormwater runoff peak volumes on developed sites that are currently not adequately served by such measures.”

Conclusion

This nomination is an opportunity to provide strategically located redevelopment to maximize the public investment that the Wiehle Avenue Metro station represents. This is critical to begin the transformation of this area of the County from primarily suburban office to a true mixed-use, multi-modal center. It will also have the added benefit of furthering the County's TOD policies, stormwater management goals, and enhancing successful implementation of substantial Transportation Demand Management (TDM) measures to reduce the transportation impact. In the end, this nomination ensures there will be more options for County residents to live and work close to transit, while contributing to the creation of a unique sense of place.

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Proposed Comprehensive Plan Text

Sub-unit G-4 (part of Wiehle Avenue Transit Station Area)

Sub-unit G-4 is bounded by Sunset Hills Road on the north, Wiehle Avenue on the east and the Dulles Airport Access and Toll Road (DAAR) on the south. It is immediately adjacent to proposed location of the transit station platform for the Wiehle Avenue Transit Station. The uses in the sub-unit include office, a self-storage facility, a bank and a County-owned and operated park-and-ride facility.

This sub-unit is planned for office use at .50 FAR or residential use at up to 30 dwelling units per acre. In addition, the active recreation needs of the residents should be met either through provision of appropriate facilities on-site or a written agreement with another nearby residential development allowing use of their facilities.

The Department of Transportation is conducting a feasibility study (to conclude in Spring 2001) of expanding the Reston East parking lot. It is preferred that this parking be provided through a joint use arrangement with adjacent transit-oriented development, rather than as a single, stand-alone parking structure. To implement this concept, consideration may be given to development proposals that utilize the existing Reston East parking lot as well as adjacent **or nearby** parcels, in order to concentrate transit-oriented development in close proximity to the station, while providing additional parking in Sub-unit G-4 to meet anticipated demand.

For development in this sub-unit, including all baseline recommendations and options, pedestrian walkways should be provided to facilitate circulation throughout the land unit and should connect to walkways in adjacent land units and existing sidewalks or trails along major streets in or around the land unit. All proposed developments should be in conformance with the Urban Design Guidelines, located after the land unit recommendations.

Transit-oriented Non-residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a .70 FAR may be considered within Sub-unit G-4 provided that the mix of uses includes office, hotel, institutional and support retail. The office use may not exceed 70% of the total gross floor area and support retail, to be located in office or hotel buildings may not exceed 15% of the total gross floor area. In addition, the following conditions should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

Transit-oriented Residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 1.5 FAR may be considered within Sub-unit G-4 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 35% but no more than 50% of the total gross floor area of the development. Office use may not exceed 50% of the total gross floor area and support retail, to be located in office, hotel or residential buildings may not exceed 15% of the total gross floor area. In addition, the following condition should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

Rail-oriented Residential Mixed-Use Option – At such time as a funding agreement for rail, as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 2.5 FAR may be considered for Tax Map parcels 17-4-((1))-17A, 17B, 20; 17-4-((19)) -1, 2, 3, 4, 5A, 6A; 17-4-((20))- 1-30, A-F; 17-4-((24))-3, 4A, 4B ~~the 17 acres~~ within Sub-unit G-4 ~~located closest to the rail station~~, provided that the mix of uses **for the totality of the area** includes a residential component and a non-residential component that includes office, hotel, and support retail. **Individual parcels within the area may exceed a 2.5 FAR.** The residential component should be at least 40% but no more than 75% of the total gross floor area ~~of the development of the sub-unit~~. Some combination of office, hotel and support retail uses may comprise 25-60% of the total gross floor area of the **sub-unit development** with the office component comprising no more than 40% of the total. In addition, the following conditions should be met:

- Substantial **or logical** parcel consolidation within the sub-unit should be achieved.
- The site should ~~be adjacent to the rail station~~ and provide direct pedestrian access to the station or be a part of a larger project, approved under a consolidated site plan or as concurrent applications, that provides direct pedestrian access to the station.
- Grade-separated pedestrian links to the rail station are encouraged.
- A quality site layout should be provided with consolidated vehicular access to the site, parking structures that do not front on pedestrian areas, and shared parking to the maximum extent possible.

- Building heights should be ~~limited to 140 feet~~ varied to create a “skyline” and the opportunity to achieve signature or iconic architecture. Average building heights within the sub-unit should not exceed 140 feet.
- Transportation Demand Management measures as discussed on page 6 should be utilized to the maximum extent possible.
- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

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