

MITRE CORPORATION
STATEMENT OF JUSTIFICATION
REZONING AND SPECIAL EXCEPTION

November 15, 2010

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Department of Planning & Zoning
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I. INTRODUCTION

The MITRE Corporation ("MITRE" or the "Applicant") is the current owner of a 19.6 acre property located at 7515 Colshire Drive, McLean. MITRE seeks rezoning approval to permit the development of additional office space at its Colshire Drive headquarters campus.

The MITRE campus is located approximately 1,000 feet south of the intersection of Route 123 and Colshire Drive and is more particularly described as Fairfax County Tax Map 30-3 ((28)) 3A1 & 4A3 (the "Property" or "Campus").

II. APPLICATION OVERVIEW

MITRE currently operates in Tysons Corner from four locations and wishes to consolidate its operations at its Colshire Drive Campus. The development of additional office space at the Campus would allow this consolidation and allow MITRE to remain in Tysons Corner.

The proposal will provide an additional office building ("MITRE 5"). A special exception request is also included with this application to permit more parking spaces on the Property than permitted by the PTC zoning district.

III. MITRE BACKGROUND

MITRE operates Federally Funded Research and Development Centers for the Department of Defense, Federal Aviation Administration, Internal Revenue Service and Department of Homeland Security. Through contracts with these agencies, MITRE (a) addresses issues of national security, (b) assists national and military intelligence agencies in developing new approaches to producing, distributing and safeguarding intelligence information, (c) develops aviation simulations and (d) works to modernize the nation's tax administration system.

MITRE is currently operating in four Tysons Corner locations, including the Campus and three smaller satellite offices (see Exhibit A). Ideally, MITRE would like to be campus centric, which would allow essential collaboration and knowledge sharing between its various departments. The existing situation with MITRE leasing office space in Tysons Corner is counter to its goal and generates regular vehicle trips between offices. To allow greater synergy between its departments and reduced travel between offices, MITRE seeks consolidation of its operations onto one site at the McLean Campus.

The MITRE Campus is a compact development providing 820,591 square feet of floor space. This floor space includes gross floor area ("GFA") included in the cellars of the existing MITRE office buildings.

The number of MITRE employees based at the Campus has grown significantly over recent years. This increase in staff, the success of the organization and a need to consolidate MITRE operations in Tysons Corner into one Campus has resulted in a requirement for additional office space at the McLean Campus.

MITRE is the contract purchaser of a parcel of land (known as Johnson 2) immediately north of the Campus. The owner of that parcel, Cityline Partners, has submitted a Proffered Condition and Special Exception application (PCA 92-P-001-07/SE 2010-PR-023) to permit the construction of a 340,000 square foot building, which would be constructed by MITRE and known as MITRE 4. Both the MITRE 4 and MITRE 5 buildings will be important to accommodate MITRE's existing operations in Tysons Corner on one campus and its short, medium and long term growth projections.

IV. PROPERTY BACKGROUND

The MITRE Property lies in the area known as West*Gate Park ("West*Gate"), which is east of Dolley Madison Boulevard (Route 123) and south of the Dulles Access Road and Route 123 interchange.

In June 1992, the Board of Supervisors approved RZ 92-P-001 to rezone the 128.63 acre West*Gate property from I-3, I-4, C-2, C-7, R-1 and Highway Corridor (HC) Districts to the C-3 and HC Districts.

In October, 2008 the MITRE Campus was granted rezoning and proffered condition amendment ("PCA") approval. RZ 2008-PR-011 (to rezone from C-3 to C-3 with proffers) and PCA 92-P-001-05 sought to remove the Property from being subject to the proffers associated with the West*Gate approval. These proffers restricted the average density permitted across certain West*Gate landbays and prevented the MITRE Property from being developed at a floor area ratio ("FAR") of 1.0, despite this level of intensity being in conformance with the C-3 zoning district and Comprehensive Plan.

Approval of the rezoning and PCA applications permitted the development of a fourth building at the Campus. The building was anticipated to be developed with 157,439 square feet of floor space and be up to six stories in height. However, this building has not been developed and the Applicant is now seeking approval for more office space than would be provided by this approval.

V. MITRE 5 PROPOSAL

A. Overview

1. 491,500 SF Office Component.

MITRE is seeking approval of a rezoning application to allow the construction of an office building (MITRE 5) and associated parking garage. The parking garage will be connected to the MITRE 1 building by a pedestrian bridge. The proposed building and

parking garage will replace existing surface parking lots at the rear of MITRE's Campus (see Sheet 4 of the CDP/FDP/SEP).

MITRE 5, together with a 250 SF entrance lobby for the connection of the pedestrian bridge between the proposed parking garage and MITRE 1, will provide a combined 491,500 square feet of GFA. This level of square footage will be used to calculate proffer contributions associated with the proposed MITRE 5 building.

2. 55,000 SF Cellar Space.

In addition, the MITRE 5 building will have 55,000 square feet of cellar space that is to be used for mechanical purposes (with a headroom greater than 6 feet, 6 inches). This cellar space will include a very substantial central plant, which has been designed to provide chillers and pumps as part of a chilled water mechanical system that could be used to provide chilled air for three of MITRE's buildings. The remainder of the cellar space will be used for mechanical and electrical equipment, storage areas, secure areas, data centers and computer equipment (and potentially computer labs) and other sparsely occupied, service-oriented space. Therefore, there will be no "office space" included within the 55,000 SF and virtually no vehicular trips generated by this area.

Approval of the requested rezoning application would allow the square footage of the Campus's buildings to be increased to 1,357,341 SF (or 1.6 FAR).

3. Proposed Parking Increase.

The Applicant is also requesting special exception approval to permit more parking spaces on the MITRE Campus than allowed under the Planned Tysons Corner ("PTC") district guidelines. The Comprehensive Plan covering the Tysons Corner Urban Center (the "Comprehensive Plan") and PTC district regulations permit a maximum of 2.0 spaces per 1,000 square feet of office floor space between a distance of 1/8 and 1/4 mile from the Tysons East Station and 2.2 spaces between 1/4 and 1/2 mile. As shown on Sheet 5 of the CDP/FDP/SEP, the MITRE Campus straddles the 1/4 mile distance line. The Applicant has calculated, based on the square footage on either side of this line, that the maximum parking ratio for the Campus is actually 2.14 spaces per 1,000 square feet of office space. This application will result in a parking ratio across the 19.6 acre Campus of 2.36.

As suggested by Tysons Core Team Staff, Sheet 5 of the CDP/FDP/SEP has been revised to include the proposed MITRE 4 building (proposed on a parcel immediately north of the MITRE Campus) in the parking calculation. With the addition of this building, the overall parking ratio for MITRE would reduce to 2.21 spaces. A special exception application has been submitted to permit this parking ratio.

B. Proposed Development

1. Building Layout.

As set out above, MITRE is proposing an office building and an associated parking garage. MITRE 5 will be located on the eastern edge of the Campus and will replace an existing surface parking lot to the rear of the MITRE 2 parking garage (see Sheets 3 and 4 of the CDP/FDP/SEP). This is the most logical part of the Campus to be developed

with additional square footage. The building will be linked to MITRE 1 and MITRE 2 by internal connections and through the Campus' existing central courtyard. The proposed building will frame this eastern edge of the central courtyard.

The addition of the MITRE 5 building will also allow the provision of a second central courtyard within the Campus. This proposed amenity will be provided between the MITRE 5 building and MITRE 2 parking garage and is identified as 'MITRE 5 Courtyard and Piazza' on Sheet 10 of the CDP/FDP/SEP. The existing courtyard is an important component of the Campus and is extensively used by employees and MITRE's visitors. The addition of a second open space amenity is an important component of this application.

The parking garage will be located on the southern boundary of the Property, adjacent to the MITRE 1 building. This facility will provide additional parking spaces required by the proposed office space and will replace existing parking spaces provided by surface parking lots on which the MITRE 5 building and parking structure itself will be developed. Access to the garage will be provided from the north between the MITRE 1 building and the adjacent Northrop Grumman campus and from the east by Colshire Drive.

2. Building Design.

As shown on Sheet 4 of the CDP/FDP/SEP, a portion of MITRE 5 will be four stories in height and will be connected to the existing MITRE 1 building. The Applicant anticipates this space providing conference rooms, an extension to an existing cafeteria in MITRE 1 and a fitness center. The building's ground floor will provide loading bays and associated storage and staging space.

The remainder of MITRE 5 is proposed as an 8-story office building designed to complement the Campus' three existing offices. This portion of the building will provide the majority of the square footage proposed by this application and will be up to 135 feet in height. Importantly, to ensure conformance with recommendations of the Comprehensive Plan and as suggested during discussions with Staff, the height of MITRE 5 will step-back from the eastern edge of the MITRE Campus. This approach has been suggested as a method of complying with the maximum building heights recommended adjacent to the East Side District (east of the Property) while allowing MITRE to achieve the type of intensity on the Campus recommended by the Comprehensive Plan and in close proximity to the Tysons East Metro Station. The building will step-back between the 6th and 8th floors from a height of 100 feet (see Sheet 14 of the CDP/FDP/SEP). This height is lower than the building heights recommended adjacent to the East Side District by the Comprehensive Plan. A graphic showing the appearance of the MITRE Campus from the East Side District is provided on Sheet 14 of the CDP/FDP/SEP.

Parking for the proposed building and to serve MITRE 1 will be provided by a six-story parking garage (60 feet in height). The parking garage will be located on the southern edge of the Campus and will be connected to MITRE 1 by an overhead pedestrian corridor.

3. Leadership in Energy and Environmental Design.

In conformance with the recommendations of the Comprehensive Plan, MITRE 5 will be designed and constructed to achieve the Silver certification of Leadership in Energy and Environmental Design ("LEED") issued by the U.S. Green Building Council.

4. Storm Water Management.

As discussed above, the proposed buildings and parking structure will be developed in place of existing surface parking lots. The reduction in surface parking and a proposed increase in open space resulting from increased landscaping surrounding the structures will result in a reduction in impervious surface within the MITRE Campus, reducing run-off. The proposal will result in a minimum of 29% of the Property being open space.

The Applicant proposes to provide over detention of storm water on the Campus as part of this application. This will be achieved by increasing the capacity of an existing underground storm water management facility. Improvements to the facility will allow the reduction in flow into Scotts Run and help minimize damage to this important environmental resource.

5. Low Impact Design.

In addition to proposing the over detention of storm water at the Property, the Applicant is also proposing Low Impact Design ("LID") measures to improve water quality and slow run-off. As set out on Sheet 20 of the CDP/FDP/SEP, the Applicant is proposing a range of LID facilities including Filtera tree box filters, a rain garden and a cistern which will allow the capture and reuse of gray water for irrigation purposes.

The Applicant is also proposing to collect rainwater from the roof of the MITRE 2 and MITRE 3 parking garages. Run-off from these structures currently flows untreated to Scotts Run. MITRE intends to redirect rainwater from the MITRE 2 parking garage to the underground storm water facility discussed above and from the MITRE 3 garage to a proposed rain garden. These actions will provide both water detention and filtration on the MITRE Property and reduce the potential for impacts to Scotts Run.

6. Green Roof.

To assist with water detention and filtration on-site, the proposal includes a green roof. The green roof is anticipated to be provided on the four-story portion of the building adjoining the MITRE 1 facility and will be minimum of 8,000 square feet.

7. On-Site Amenities.

As set out on the Open Space Plan on Sheet 10 of the CDP/FDP/SEP, a number of open spaces and recreation areas are existing and proposed on the Campus. These facilities will provide landscaped areas with seating and public art in which employees can sit or congregate. Further, MITRE is proposing a basketball court, which together with the existing fitness center in the MITRE 1 building, will provide active recreation opportunities on the Property. This application also proposes a pocket park, to serve both MITRE's employees and surrounding residents. This facility will be located on Colshire Drive and will be on an important pedestrian route through the Property,

connecting residential areas south of the Campus with the Tysons East Metro Station. A second pedestrian link is also proposed through the Campus to connect the residential areas southwest of the Property with the Tysons East Station.

The Campus also boasts a number of amenities serving its employees, including a cafeteria, bank, convenience store and café. The provision of these important facilities, together with the fitness center, reduces the need for MITRE's employees to leave the Campus during the day, reducing the potential for additional trips being generated in Tysons.

C. Reason for not proceeding with existing office approval

As discussed above, in October, 2008, a PCA and rezoning application was granted allowing the development of a 157,439 square foot building on the Campus (previously referred to as MITRE 4). This square footage was to constitute phase one of a two phase building. The second phase would take the building size up to 360,000 SF and was to be pursued upon adoption of revisions to the Comprehensive Plan.

The implementation of this approval was initially restricted by the global economic crisis and a desire to wait for markets to become more stabilized. However, MITRE now finds that its business has grown beyond its initial projections and requires more office space than provided by the approved rezoning. Since approval of the rezoning and PCA application, MITRE has needed to lease a third office buildings in Tysons and now occupies approximately 320,000 square feet of office space off-site. Even if MITRE had been able to develop both phases of the building approved in 2008, it would not have provided sufficient room to replace the leased office space and provide for the projected growth in MITRE employees.

MITRE's decision to seek approval for a larger building than previously approved is also based on construction costs. MITRE has determined that it would be significantly preferable financially to construct a larger building rather than construct the approved building (and subsequent second phase) and then have to expand that structure, build another building on the Campus or lease office space elsewhere in Tysons to provide the same amount of floor space.

The construction of the additional office space, over and above that already permitted at the Campus, will also assist in the achievement of Staff and Tysons Task Force goals of creating attractive and integrated development proximate to the Tysons East Metro Station and in a location that will help maximize use of Metrorail.

This application seeks to maintain the commitments provided in the proffers associated with the existing rezoning/PCA approval. MITRE intends to provide substantial TDM, SWM, LID commitments as well as financial commitments towards the Tysons Transportation Fund and workforce housing.

D. Transportation Demand Management

The Comprehensive Plan recommends that properties between ¼ and ½ mile of planned Metro Stations achieve a high occupancy mode split of 30%. The Applicant has commissioned UrbanTrans Consultants to prepare a Transportation Demand Management ("TDM") Plan to advise MITRE on TDM measures that will help achieve

this goal. Please see the TDM Plan submitted with this application. The TDM Plan proposes that MITRE will exceed the 30% reduction recommended by the Comprehensive Plan.

To reduce the number of trips generated by the MITRE Campus and proposed additional square footage, the TDM Plan identifies existing and proposed programs including:

- Transit Bus/Availability – Pedestrian access and corporate sponsored shuttle access to existing and future planned Metro stations.
- Telework/Alternative Work Arrangements – Where possible, MITRE will ensure that any employees working at the Campus will be covered by telework/alternative work arrangement policies.
- Bike/Walk Programs – Covered bicycle racks and shower and locker facilities to support bicycle and pedestrian commuters.
- Alternative Work Schedules – Encourage the implementation of work schedules that minimize vehicle trips during the peak hour.
- Managed Parking – Implement a parking management and registration system for all employees linked to providing limited access to specific parking areas. Car pools and van pools will receive reserved parking spaces.
- Emergency Ride Home – All employees regularly participating in a registered alternative commuting program shall be eligible for an emergency ride home.
- Active Marketing – MITRE will designate a full-time equivalent transportation coordinator to implement commuter transportation initiatives.
- Interactive Intranet and Internet Resources – MITRE will sponsor a intranet/internet site to provide commuter information.

The implementation of these measures, combined with the trip reduction caused by the consolidation of MITRE offices in Tysons Corner and on-site amenities available at the Campus, will allow MITRE to achieve an overall reduction of 31% in vehicle trips associated with its Campus.

VI. TYSONS COMPREHENSIVE PLAN – MAJOR ELEMENTS

Under the Comprehensive Plan, the Property lies within the Colshire Subdistrict of the Tysons East District. The Property is within a Transit Oriented Development district and is predominately between ¼ and ½ mile from the Tysons East Metro Station. The delineation of the one eighth, one quarter and one half mile distances from the Station are shown on Sheet 2 of the CDP/FDP/SEP.

The proposal's compliance with the major elements of the Comprehensive Plan is set out below.

A. Floor Area Ratio and Land Use

The Comprehensive Plan suggests the northern portion of the Campus (that portion within a 1/8 and 1/4 mile of the Tysons East Metro Station) could be developed with an unlimited FAR (subject to approval of a special exception application for a density above 2.5 FAR) and the remainder of the Property could be developed at 2.0 FAR. The proposal would increase the Campus density to 1.6 FAR, which is clearly within the density recommended for the Property. MITRE has a long-term plan, if warranted by continued growth, to intensify development of its Campus through the replacement of existing parking garages with office buildings with underground parking. This would bring the Campus closer to the density recommended by the Comprehensive Plan.

The Comprehensive Plan indicates that the MITRE Campus is located in the Colshire Subdistrict and provides a Redevelopment Option for the Property. As proposed by this rezoning application, this Option shows an Office use for the Property.

B. Building Height

The Building Height Concept for Tysons Corner recommends the majority of the MITRE Campus may be developed to building heights of up to 130 feet (Map 10 appears to show higher maximum building heights for the northern portion of the Campus, accommodating the MITRE 3 building). However, in providing detailed guidance on the development of the Colshire Subdistrict, Page 153 of the Comprehensive Plan indicates that building heights should range between 105 and 400 feet. Page 182 continues by recommending that buildings abutting the East Side District, which runs along MITRE's eastern Property boundary, should be a maximum of 105 feet in height. We assume this proposed height limit is part of a wider planned transition of building heights from the Campus to the multi-family units on The Commons property and the single-family homes east of Magarity Road beyond.

To comply with the recommended building height restriction along MITRE's eastern boundary, the MITRE 5 building has been designed to step-back from a height of 100 feet. The step-back approach has been suggested by Staff as a means to ensure compliance with building heights recommended adjacent to the East Side District of the Comprehensive Plan, while also allowing for the level of density appropriate to a property which is proximate to a Metrorail Station. To create a unified design, the MITRE 5 building will have a corresponding step-back on the northern and southern sides of the building. MITRE is proposing that the building will step-back between the 6th and 8th floor levels by 10 feet and between the 8th floor and penthouse by 20 feet.

As discussed above, the height of MITRE 5 will extend up to 135 feet, marginally exceeding the height recommended for the Colshire Subdistrict by the Comprehensive Plan (130 feet). MITRE believes the following important factors justify this minimal increase in height:

- The MITRE 5 building will include two step-backs: between the 6th and 8th floors; and between the 8th floor and penthouse. This will allow the transition of building height from 100 feet to 135 feet over a distance of 30 feet (between the 6th floor building façade and the penthouse). This transition is consistent with the transition of building heights recommended by the Comprehensive Plan from 105 feet adjacent to the East Side District to 225 feet on the western edge of the

MITRE Campus and 400 feet for buildings also on Colshire Drive, but closer to the Tysons East Metro Station.

- MITRE needs to consolidate its Tysons Corner operations onto one Campus. The most logical method of increasing floor space on the Property is by redeveloping surface parking lots on the eastern edge of the Campus. In conformance with densities recommended in the Comprehensive Plan and to assist in the achievement of Staff and Task Force goals of creating attractive and integrated development proximate to rail, it is important that MITRE maximizes the opportunity to develop office space on the Property. The proposed MITRE 5 building height will provide essential floor space on its Campus while maintaining an appropriate transition of building heights to the East Side District. The anticipated appearance of the proposed building is shown on Sheet 14 of the CDP/FDP/SEP.
- The need to maximize office space on MITRE's Campus while remaining consistent with building height recommendations in the Comprehensive Plan has resulted in the design of a building approximately 615 feet in length. MITRE 5 has been designed with three cores, each with its own elevator shafts, stair wells, machine rooms and elevator over runs. The need for this equipment, together with the necessary cooling towers, generators, service elevator and various mechanical equipment has required a penthouse on the roof of MITRE 5, which is larger than would normally be expected.

Section 2-506 of the Fairfax County Zoning Ordinance sets out that penthouses shall only count towards a building's height when they occupy an area greater than 25% of the roof. The increase in mechanical equipment required to serve the MITRE 5 building, together with the requirement to calculate its coverage of roof area from the 8th floor (which has been stepped-back on three building sides), rather than the 6th floor, has resulted in this 25% threshold being exceeded and requiring the penthouse to be included in the building height calculation. If the penthouse was not included in the calculation, the building height would be 120 feet, substantially lower than the 135 feet proposed and consistent with the 130 feet maximum recommended by the Comprehensive Plan.

MITRE believes that the step-back approach and proposed penthouse will retain an appropriate transition between the Property and multi-family and single family residential areas to the east and allow the MITRE Campus to realize Staff and Task Force goals of accommodating attractive and integrated development proximate to rail.

C. Grid of Streets and Transportation Improvements

The Comprehensive Plan's Map 7 provides a conceptual grid of streets for Tysons Corner. It shows two streets running through the MITRE Campus: an existing private street named MITRE Plaza and a proposed connection between Colshire Drive and MITRE's southwestern property boundary.

MITRE is willing to create a public access easement across MITRE Plaza to provide a public connection between Colshire Drive, Route 123 and the Tysons East Metro Station with Magarity Road and residential neighborhoods to the east. MITRE is also willing to

commit to the dedication of right of way for the construction of a connection between the MITRE and Northrop Grumman campuses to provide a local road shown on Map 7. This connection will ultimately link to a planned local street shown on Map 7 connecting Magarity Road with Old Meadow Road through the Westgate Elementary School site and Westgate Park.

The Applicant has also been corresponding with other property owners at Tysons East to discuss the creation of a grid of streets in this area of Tysons. This group has collectively commissioned an engineering firm to prepare a graphic showing each of the grid streets proposed by the various parcel owners. The Applicant looks forward to discussing this graphic with Staff.

D. Transportation Demand Management

A TDM Plan has been prepared for the MITRE 5 application by UrbanTrans. The Plan has been designed to exceed the trip reduction recommended by the Comprehensive Plan and is proposing a 31% reduction. It includes various programs and strategies designed to ensure that MITRE meets the 31% trip reduction goal. MITRE looks forward to submitting draft proffer language which provides a commitment to comply with the goals set out in the TDM Plan and will set out financial penalties if the proposed goals are not met.

E. Bicycle Parking

MITRE is proposing a significant increase in bicycle parking spaces as part of the MITRE 5 application. Sheet 5 of the CDP/FDP/SEP shows 100 covered bicycle parking spaces distributed across the Campus. This number of spaces less than the number generated by the formula proposed in Table 4 of the Comprehensive Plan, but is a significant increase from the 24 bike spaces currently available on the Property. The proposed bike spaces will be covered and included in the existing and proposed parking garages.

F. Environmental Stewardship

As set out on Sheet 20 of the CDP/FDP/SEP, MITRE is proposing several LID strategies, including innovative storm water management techniques, to collect rainwater from the roofs of existing parking garages which would otherwise flow directly into Scotts Run. As also discussed on Sheet 20 of the CDP/FDP, the Applicant is proposing a minimum of 8,000 square feet of green roofing as part of this proposal. It is important to note that these proposed measures cover the entire Property and not just the small portion of the Campus that is to accommodate the proposed building. MITRE believes the proposal suitably addresses the intent of the Comprehensive Plan recommendations.

The Applicant and surrounding property owners at Tysons East have met with Wetland Studies and Solutions, Inc. ("WSSI") to discuss the restoration of Scotts Run. WSSI has a vision for the restoration and maintenance of Scotts Run using contributions from these property owners.

The Applicant is preparing draft proffers as part of this application, which will include a commitment to the MITRE 5 building receiving LEED Silver certification.

G. Public Facilities

MITRE has been meeting with other owners of properties surrounding the Tysons East Metro Station to discuss public facility improvements and in particular, a proposal to provide pro-rata funding towards an effort to restore and revitalize Scotts Run.

As discussed below, the proposed rezoning will generate the need for 0.21 acres of a 2 acre baseball field. The Applicant is working with surrounding property owners and Staff to determine how best to address this requirement.

The MITRE 5 proposal also includes a publically accessible pocket park on an important pedestrian route through the Campus which links residential areas to the south and southeast of the Property with the Tysons East Station.

H. Urban Park Standards

The Comprehensive Plan recommends an urban park standard of 1 acre per 10,000 employees. MITRE estimates the proposed building will accommodate approximately 1,500 employees. This equates to a recommendation of approximately 0.15 acres of urban park land.

The Tysons East area is currently well served with parkland and areas identified on Map 9 of the Comprehensive Plan as 'Planned Parks/Open Space'. None of these planned facilities have been shown on the MITRE Campus. MITRE appreciates that improvements are needed to Scotts Run and has been meeting with owners of properties surrounding the Tysons East Station to discuss improvements to this resource.

Further and as discussed above, the MITRE Campus will include a number of open space amenities. Due to the semi-secure nature of the Campus, the majority of these areas will be for the use of employees only. However, a public pocket park is planned close to MITRE 5's frontage onto Colshire Drive. It will provide an area of approximately 0.1 acres for use by MITRE employees and surrounding residents in what will be an important pedestrian connection between residential areas south and southeast of MITRE and the Tysons East Metro Station.

I. Active Recreation Facilities

The Comprehensive Plan also suggests a need for an athletic field is generated by the development of approximately 4.5 million square feet of mixed use development and approximately two acres of land is needed for each athletic field. Under this recommendation, the proposed 491,500 SF building will generate a contribution of 0.21 acres of land (9,500 SF).

MITRE has recently contributed \$200,000 to Fairfax County for use in the funding of athletic field improvements in the Providence and Dranesville districts. This contribution was a proffer commitment associated with the MITRE 4 PCA approval (as discussed above) and was to be made at the time of site plan. MITRE is no longer proposing to develop this building, but felt it was important to accelerate this noteworthy contribution. This contribution will need to be applied to any contribution to Active Recreation Facilities deemed appropriate as part of this MITRE 5 rezoning application.

MITRE does not have land available for a baseball field, however, it is proposing a basketball court for use by its employees. Further, MITRE would be willing to retain the existing basketball court until the MITRE 5 building and proposed court is constructed.

J. Affordable Housing

The Applicant is proposing an office building on an existing office campus and is not able to provide affordable housing on the Property. The Applicant looks forward to discussing the County's affordable housing policies with Staff.

K. Significant Economic Development

The Comprehensive Plan sets out the importance of County maintaining and expanding its prosperous climate and varied employment opportunities. In particular, the Comprehensive Plan sets out the desire to encourage the retention of existing employers and aggressively seek to attract new employers. This application represents an important opportunity for the County to allow the organic growth of one of its existing corporate citizens.

The County has recently made efforts to attract several high-profile company headquarters, including SAIC, Northrop Grumman, Hilton and Volkswagen. This application is seeking to allow the development of additional office space for approximately 1,500 employees at MITRE's Campus and will provide exactly the type of highly-skilled and well paid positions desired by the County. We, therefore, feel the County should embrace this type of important proposal.

The Comprehensive Plan also confirms that Tysons Corner is expected to continue to generate significant increases in revenues to the County from real estate taxes and that the County should continue to capitalize on Tysons' growth as a regional economic engine. The development of the proposed office space will provide an important increase to the County's real estate tax base.

The significant number of highly-skilled and well paid jobs created, the importance of MITRE as a corporate citizen in Tysons Corner and the benefit to the County's tax base from this proposal must be taken into account when considering this rezoning application.

VII. TRAFFIC GENERATION

A Traffic Impact Study has been undertaken by Gorove/Slade Associates, Inc., a copy of which is included with this submission. The study was designed to assess the affect the increased development of the MITRE Campus will have on the surrounding road network. The traffic study considered the proposed fourth and fifth buildings in addition to the three existing buildings at the Campus.

Included in the study is an assessment of (a) the existing road network serving the MITRE Campus and planned improvements to the network, (b) the transportation needs generated by the MITRE Campus, (c) the future traffic levels on the surrounding network without the proposed fourth office building and (d) the future traffic levels with the fourth office building.

The Study concludes that components of two intersections surrounding the MITRE Campus currently operate below desirable levels of service and would continue to do so with the development proposed on the MITRE Campus. MITRE looks forward to discussing with Staff the proposed mitigation measures discussed in the Traffic Impact Study.

VIII. ZONING ORDINANCE

A. Planned Tysons Corner Zoning District

This application seeks to rezone the MITRE Campus to the PTC district. The PTC district regulations have been designed to implement the mix of uses, densities and intensities provided by the redevelopment options set forth in the Comprehensive Plan. In addition to meeting the various requirements of the PTC district, the proposal is also furthering the vision of the Comprehensive Plan by meeting the following objectives:

1. *Contribute to a tiered intensity of development having the highest intensities located closest to the transit stations and provide the mix of residential, office and commercial uses necessary to achieve a vibrant, urban environment.*

The proposed development and MITRE Campus as a whole will comply with the intensities recommended by the Comprehensive Plan and help achieve a tiered intensity of development in the Tysons East Subdistrict.

2. *Contribute to the network of open space and urban parks, to include stream valley parks, pocket parks, common greens, civic plazas and athletic fields for the workers and residents of Tysons.*

As shown on Sheet 20 of the CDP/FDP/SEP, a number of existing and proposed open spaces will serve MITRE's employees on the Property. Due to MITRE's Campus being semi-secure, the majority of these areas will not be open to the public. However, the Applicant is proposing a pocket park close to MITRE 5's frontage on Colshire Drive. This pocket park will provide an area for use by MITRE employees and surrounding residents in what will be an important pedestrian connection between residential areas south and southeast of the MITRE Campus and the Tysons East Metro Station.

The Applicant is also in discussions with other owners of properties surrounding the Tysons East Metro Station and the County and is amenable to reviewing existing public and school parklands and other open space in and around Tysons where MITRE could make a reasonable and pro-rata contribution to create or improve recreation facilities or urban parks. Furthermore and as discussed above, the Applicant is also in discussions with Tysons East property owners and Wetland Studies and Solutions, Inc. to consider how a restoration project for Scotts Run may be achieved.

Finally, it is important to note that MITRE has recently contributed \$200,000 to Fairfax County for use in the funding of athletic field improvements. This contribution was a proffer commitment associated with the MITRE 4 PCA approval (as discussed above) and was to be made at the time of site plan. MITRE is no longer proposing to develop this building, but felt it was important to

accelerate this noteworthy contribution.

3. *Promote environmental stewardship by implementing green building design; efficient, renewable and sustainable energy practices; incorporating low impact development strategies, such as innovative storm water management and green roofs; and achieving the tree canopy goals for Tysons.*

The proposed office building will be designed to achieve LEED Silver certification. As set out on the CDP/FDP/SEP, MITRE is proposing several LID strategies including innovative storm water management techniques to collect rainwater from the roofs of existing parking garages which would otherwise flow directly into Scotts Run. MITRE's proposed SWM improvements cover its entire Property and not just the small portion of the Campus that is to accommodate the proposed building. Likewise, the Campus will meet the County's tree canopy goals.

4. *Further the implementation of the urban grid of streets and the described street hierarchy for Tysons.*

MITRE is willing to create a public access easement across MITRE Plaza to provide a public connection between Colshire Drive, Route 123 and the Tysons East Metro Station with Magarity Road and residential neighborhoods to the east. MITRE is also willing to commit to the dedication of right of way for the construction of a connection between the MITRE and Northrop Grumman campuses to provide a local road shown on the Conceptual Functional Classification for the Tysons Road Network (Map 7). This connection will ultimately link to a future local street shown on Map 7 and planned to connect Magarity Road with Old Meadow Road through the Westgate Elementary School site and Scotts Run Park.

5. *Reduce the amount of single occupant vehicle trips by limiting the amount of provided parking, encouraging shared parking arrangements among uses, permitting the inclusion of managed tandem parking spaces, and implementing various Transportation Demand Management strategies, such as transit subsidies, carpool and vanpool services, employee shuttles, car-sharing programs and bicycle accommodations.*

As discussed above, MITRE is proposing an aggressive TDM Plan which will exceed the TDM goals recommended for office uses between ¼ and ½ mile from a Metro Station. MITRE is drafting proffer language to set out a commitment to the achievement of the goals proposed in the TDM Plan and financial penalties if the targets are not met.

6. *Contribute to the necessary public facilities to support the projected job and population growth, including schools, fire and police services, a library, public utilities, and an arts center.*

The adopted Comprehensive Plan shows a potential "Civic Use / Public Facility" on the Taylor parcel (owned by West*Group). The Applicant has been meeting with other owners of properties surrounding the Tysons East Metro Station to discuss necessary public facilities.

7. *Contribute to the specified streetscape and apply the urban design guidelines specified for build-to lines, building articulation, fenestration, ground floor transparency and parking design to create an integrated urban, pedestrian-friendly environment.*

The proposed building will have a very small amount of street frontage on Colshire Drive. However, as shown on Sheet 6 of the CDP/FDP/SEP, MITRE is seeking to provide the type of walkable, urban environment anticipated by the Comprehensive Plan. The proposal will significantly improve visual interest in the pedestrian realm on Colshire Drive.

8. *Contribute to implementing the workforce and affordable housing policies for Tysons to provide housing to various income levels.*

The Applicant looks forward to discussing the County's workforce housing and affordable housing policies with Staff.

B. Highway Corridor Overlay District

The northwestern edge of the MITRE Campus lies within the Highway Corridor Overlay District. The requirements of this Overlay District would not restrict the development of the proposed MITRE 5 buildings at the MITRE Campus or the proposed uses.

IX. SPECIAL EXCEPTION

The Board of Supervisors has recently adopted PTC zoning district regulations, which permit a maximum of 2.0 spaces per 1,000 square feet of office floor space between a distance of 1/8 and 1/4 mile from the Tysons East Station and 2.2 spaces between 1/4 and 1/2 mile. As shown on Sheet 5 of the CDP/FDP/SEP, the MITRE Campus straddles the 1/4 mile distance line. The Applicant has calculated, based on the square footage on either side of this line, that the maximum parking ratio for the Campus is actually 2.14 spaces per 1,000 square feet of office space.

Under the proposal, the existing surface parking spaces currently serving MITRE 1 would be removed from the Campus. These spaces would be replaced by the MITRE 5 building and associated parking garage. The proposed and existing parking provision will generate a parking ratio of 2.36 across the Campus.

The recently adopted zoning amendment provides the ability for the Board of Supervisors to approve a special exception to allow an increase in parking in the PTC district. The Applicant believes that the following factors must be considered in determining the special exception application:

- As shown on Sheet 5 of the CDP/FDP/SEP, the parking ratio for the proposed MITRE 5 building will be only 1.15. This ratio is significantly below the maximum permitted by the PTC district regulations and recommended by the Comprehensive Plan.
- The current parking ratio of the Campus is 3.46 spaces. In proposing to reduce this ratio to 2.36 spaces, MITRE is making a significant change to the level of

parking provided at the Campus. While MITRE is not able to meet the parking ratio set out in the PTC district regulations, it is proposing a dramatic decrease in the number of spaces provided on the Property.

- As suggested by the Tysons Core Team Staff, Sheet 5 has been revised to include the proposed MITRE 4 building (proposed on a parcel immediately north of the Campus) in the parking ratio calculations. The inclusion of this building would reduce the overall parking ratio for MITRE to 2.21 spaces.
- As discussed above, MITRE operates Federally Funded Research and Development Centers for the Department of Defense, Federal Aviation Administration, Internal Revenue Service and Department of Homeland Security. MITRE has regular conferences and meetings between sponsor's representatives, and to allow the continuation of this important aspect of MITRE's business model, MITRE needs more visitor parking than would be typically required for a similar sized office campus. However, it should be noted that many of these visitors and consultants do not arrive during peak hours. The existing population at the Colshire Drive Campus is approximately 2,425 MITRE and non-MITRE employees. In order to accommodate the existing employees that travel to/from the campus during both peak and off-peak hours, the projected growth anticipated for the Colshire Drive Campus, and particularly the higher than average number of visitors that travel to the MITRE Campus, the parking spaces required for the campus will result in a ratio slightly higher than is permitted by the Zoning Ordinance.
- The proposed parking increase will not detrimentally impact MITRE's aggressive TDM Plan, submitted as part of this application. As set out above, MITRE's proposed TDM Plan will exceed the level of trip reduction recommended by the Comprehensive Plan.
- The MITRE Campus has been developed in phases. MITRE 1 was the first building constructed and is currently served by surface parking (as discussed above). MITRE 2 and MITRE 3 were subsequently developed with dedicated parking garages. It would not be feasible to merely reduce the Property's parking ratio by providing less parking spaces in the proposed garage and insufficient spaces to serve the MITRE 1 and MITRE 5 buildings.
- The ability of development in Tysons Corner to meet the maximum parking ratios set out in the PTC regulations will be heavily dependent on the planned Metrorail service. The ridership of Metro will increase over time as access to Metro stations improves and people's travel habits change. This increase in Metro ridership will correspond with a reduction in demand of parking spaces in Tysons. This shift will occur over a long period of time.

X. SUMMARY

The proposed rezoning and special exception applications will allow the development of additional office space to be carefully integrated within the existing and attractive MITRE Campus. MITRE requires the additional office space to allow its existing leased office space in Tysons Corner to be consolidated into its Colshire Drive Campus and to provide floor space for its increasing workforce.

The Applicant respectfully requests favorable consideration of these cases by the Staff, Planning Commission and Board of Supervisors.

Ben Wales.

Ben I. Wales, Cooley LLP
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