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FAIRFAX COUNTY
PLANNING COMMISSION

December 3, 2008

Walter L. Alcorn, Chairman and Members,
Tysons Corner Planning Commission Subcommittee
12000 Government Center Parkway, Ste. 300
Fairfax, VA 22035

RE: <u>Opportunities in Tysons, Tax Map Reference 39-2((2)) 106, 114, 114A</u>

Dear Chairman Alcorn and TCPC Subcommittee members:

This firm represents Lowe Enterprises ("Lowe") and Vornado/Charles E. Smith ("Vornado"). These companies either own or are partners in the development and management of the property referenced above. For further reference, the property is commonly known as Fairfax Square and includes the retail/office components of Fairfax Square, an office building at 1953 Gallows Road, and two (2) free standing restaurants currently branded as "Chilis" and "On The Border". The property is among the most strategically located in Tysons. It is at an acknowledged "gateway" location on a planned "circulator" route and is zoned and developed with automobile oriented retail uses that typify the type and pattern of development this replanning exercise is currently trying to discourage. For your reference, an aerial map of the property is attached. The purpose of my letter is to provide you with information regarding this current development effort by these two companies and offer comments on the pending replanning of Tysons Corner on this property.

Since the beginning of the Tysons Corner replanning process, both companies have worked in partnership to monitor the progress and position the property for redevelopment that reflects the goals and objectives articulated by the Tysons Corner Land Use Task Force. The properties combined contain slightly under 16 acres and are situated in such a way that the concept circulator route for the Old Courthouse South/Boone Blvd. area bisects the consolidated properties. This portion of the circulator provides a critical link for office workers and residents in the Old Courthouse South area to Tysons Corner Mall/Central 123 station and to the Central 7 station. The companies' vision for this property includes the redevelopment of the two free standing restaurants and other adjacent underdeveloped land with additional residential and retail development which, when married with the existing retail and office use, will create the land use balance necessary to attain the livable, walkable, functional, mixed use atmosphere envisioned for Tysons.

As the process moves forward, it is essential that the densities and associated land use incentives recommended by the Tysons Task Force in the "Transforming Tysons" report be retained. For properties such as this on the circulator route, there needs to be incentives necessary to dedicate needed right of way and participate in the funding of related infrastructure. At present, the properties enjoy un-proffered commercial zoning and the current Comprehensive Plan simply recognizes the existing and established development thereby providing absolutely no incentive to enter the rezoning process and begin to implement the vision carefully crafted by the Task Force. Based on these facts, retaining the Task Force recommendation for basic use and density is essential to ensuring that the property does not simply redevelop based on existing commercial zoning. As the Plan evolves, it is equally important to give careful consideration to incorporating building heights that both reflect the proposed densities and reflect the design objectives consistently articulated by the Task Force. The articulation of building height limitations was one of the elements not fully explored at the Task Force level or in the summary report.

We very much understand the need for variation in heights throughout Tysons Corner as a means to transition to areas outside this growing urban center. At the same time, reasonable heights are essential to providing the green space, amenity space and urban parks and high quality development that the Task Force has sought to encourage. Similarly, variation in building heights, both within individual projects and within the districts as a whole, are needed to create visual interest, and encourage excellence in architectural designs. Recognizing the "infill" nature of much of the redevelopment, in many instances it will be necessary for new buildings to be somewhat taller than existing structures to provide the access to light and optimal views that are part of a quality project.

Applying these concepts to the Vornado/Lowe properties, we ask for consideration of the following:

- Building heights should be staggered with the tallest portions of the project oriented to Leesburg Pike and the middle of the property and lower portions along Gallows Road where the property transitions to areas outside the urban center.

- Building heights should vary within the project both in terms of new development and relative to existing structures.

- Within this framework, we propose that the maximum height for new components of the project having an orientation to Leesburg Pike be 180 feet and transition towards Gallows Road, where height would be limited to 80 feet.

An 80 foot height limitation along Gallows Road is completely in character with the existing office buildings on the east side of Gallows Road while the existing 3 story buildings on the west side of Gallows Road provide an appropriate transition to the neighborhood. Similarly, the taller portions of the project are equally in context with existing or planned development in the Leesburg Pike corridor including the existing buildings at Fairfax Square which have effective building heights in excess of 130 feet. Also, in keeping with the design theory described herein, the redevelopment would not be uniformly 180 feet tall. Such a maximum

height would only apply to specific portions of the building as needed to create an attractive and proper relationship to the existing structures and achieve the allowable density.

Both Lowe and Vornado have spent considerable effort in studying the development potential for this important property within Tysons. We would be more than willing to discuss further any aspect of their vision with you and the subcommittee should that be your desire. Please do not hesitate to contact me.

Sincerely,

Gregory A. Riegle

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Attachment

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