



County of Fairfax, Virginia

MEMORANDUM

MAY 05 2017

DATE: 5/4/2017

TO: Distribution List

FROM: Tracy D. Strunk, AICP
Acting Director, Zoning Evaluation Division
Department of Planning and Zoning

SUBJECT: Zoning Application Analysis

REFERENCE: Application No. FPDA 82-P-069-01-17 (Five Oaks Properties, LLC)

Board of Supervisors
Springfield

Case Information

Staff Coordinator: Kelly Atkinson
 Pre-Staffing: 5/22/2017 Staffing: 8/3/2017
 Tentative PC: 10/12/2017 Tentative BOS: TBD

Memo Includes Full-Size Development Plans for Noted (1) Addressees: Yes No

Attached for your review and comment is the zoning case information for the subject application.

Action addressees are requested to provide written comments to the staff coordinator by (5/15/17) to be considered in preparing staff's recommendation on this application. Information addressees may also submit any comments by the same date.

Action Addressees

- Attn: Abdirazak Hamud
- 1 DPZ Planning Division
Chief, Env. & Dev. Review Br.
Attn: Denise James
- 1 DPWES Site and Addressing
Attn: Crystal Hamrick
- 1 DPWES Sanitary-Sewer
Attn: Lana Tran
- 1 VDOT
Attn: David Jordan
- 1 Fire Prevention Div
Plans Review Section
Attn: Dave Thomas/Sandra Ward
- 1 Fairfax County Public Schools
Facilities & Transportation Svcs
Attn: Jessica Gillis
- 1 Dept. of Transportation
Transportation Planning
Chief, Site Analyst Section
Attn: Michael Davis
- 1 Dept. of Housing & Comm. Dev.
Housing Development Div.
Housing Development Officer
- 1 Fairfax County Park Authority
Planning & Development Div.
Plan Review Coordinator
Attn: Lynne Johnson 4th fl.
- 1 Northern Va Soil and Water
Conservation District
Attn: Willie Woode
- 1 Planning Commission
Board of Supervisors
Springfield District
- 1 Office of Community
Revitalization/Reinvestment
Attn: Barbara Byron
CRD/CRA or Tysons only
- Fairfax County Water Authority
Planning & Engineering Div.
Manger, Planning Dept.
Attn: Greg Prelewicz
- Dept. of Tax Administration
Real Estate Division Director
Attn: Tim Shirocky
- Dept. of Health
Div. of Environmental Health

- Technical Review and
Information Resources
Attn: Kevin Wastler
- Fairfax County Public Schools
Facilities & Transportation Svcs
Office of Design & Construction
Services
Attn: Eric Brunner
- Fire & Rescue Dept.
Information & Technology
Attn: Eric Fisher
- Virginia Department of Forestry
Forester
Attn: Jim Mc Glone

Information Addressees

- 1 Economic Dev. Authority
Director, Real Estate Services
Attn: Curtis Hoffman
- 1 Planning Commission
Executive Director
Attn: Jill Cooper
- Clerk to Board of Supervisors
Attn: Cathy Chianese
- DPZ-ZED Division Director

- Attn: Tracy Strunk, AICP
- DPZ-ZED Asst. Director
Attn: William Mayland
- DPZ-ZED
Attn: Branch Chiefs
- DPZ-ZED
Chief, Proffer Interp. Branch
Attn: Suzanne Wright
- DPZ-ZED
Admin. Asst., Legal Notices
Attn: Rachael Locke
- DPZ Chief Zoning Inspector
Attn: Mavis Stanfield
- Dept. of Information Technology
Technology Infrastructure Div.
Attn: Steve Brundage
- Dept. of Family Services
Adult Aging Services
AAA, B-3-708
Attn: Jacquie Woodruff
- Southeast Fairfax Dev. Corp.
Attn: Tony Fontana
MV or LEE only





COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290 TTY 711
 www.fairfaxcounty.gov/dpz/zoning/application

APPLICATION #: FDPA 82-P-069-01-17
 (Staff will assign)

RECEIVED
 Department of Planning & Zoning

FEB 28 2017

Zoning Evaluation Division

ZONING APPLICATION

APPLICATION TYPE(S): RZ PCA FDP CDPA FDPA DPA CP
 CPA PRC PRCA CSP CSPA AA AF AR

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We) FIVE OAKS PROPERTIES, LLC the applicant(s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying the below noted property from the PDC District to the PDC District.

(PCA) This application proposes to amend the proffers approved pursuant to _____ (case) in order to permit _____

Is this a partial PCA? _____ (Y/N) If Yes, please identify affected acreage: _____

TAX MAP PARCEL(S):

45-4 ((1)) 25D

TOTAL ACREAGE: 6.25 ACRES CURRENT ZONING DISTRICT: PDC

LEGAL DESCRIPTION: Deed Book: 06474 Page No.: 0293

POSTAL ADDRESS OF PROPERTY (INCLUDING ZIP CODE):

4375 FAIR LAKES COURT, FAIRFAX, VA. 22033

ADVERTISING DESCRIPTION: (Ex.:North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)

EAST SIDE OF FAIR LAKES COURT, APPROX. 600 FEET NORTH OF FAIR LAKES

EXISTING USE:	<u>OFFICE</u>	PROPOSED USE:	<u>COLLEGE OR UNIV.</u>
MAGISTERIAL DISTRICT:	Select One <u>SPLD.</u>	OVERLAY DISTRICT(S):	<u>WS</u>

Waiver/Modification of Submission Requirements Requested:

The name(s) and address(es) of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representative on official business to enter on the subject property as necessary to process the application.

Applicant Contact Name:			Agent Name:		
<u>JILL MARTIN</u>			<u>CARLOS M. MONTENEGRO</u>		
Address: <u>2638 FIVE OAKS RD</u>			Address: <u>2821 CENTER RIDGE DR.</u>		
Street: <u>FIVE OAKS RD</u>			Street: <u>0</u>		
City: <u>VIENNA</u>	State: <u>VA</u>	Zip: <u>22181</u>	City: <u>OAKTON</u>	State: <u>VA</u>	Zip: <u>22124</u>
Phone Number:			Phone Number: <u>703 819 0707</u>		
(W): <u>571-633-9657</u> (C): <u>703 981-1345</u>			(W): <u>703 819 0707</u> (C):		
E-mail: <u>JKUMARTIN@GMAIL.COM</u>			E-mail: <u>CARLOS@MONTENEGROLAWFIRM.COM</u>		

Signature: [Signature] Date: 12/1/2016 MC
FDPA 2016-0382 4/7/17

DO NOT WRITE IN THIS SPACE

Date Application Accepted: April 7, 2017

Application Fee Paid: \$ 6,820.⁰⁰

APR 03 2017

Zoning Evaluation Division

CARLOS M. MONTENEGRO, P.C.

Attorney and Counselor at Law

2821 Center Ridge Road
Oakton, Virginia 22124
Phone: (703) 819-0707

Member, Va. Bar

Fax: (703) 620-3345

March 31, 2017

VIA HAND DELIVERY

Ms. Deborah Pemberton
Department of Planning and Zoning
County of Fairfax
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035-5508

Re: Supplemental Statement of Justification;
Final Development Plan Amendment (FDPA) for a College or University
as a Permitted Secondary Use, Five Oaks Properties, LLC,
4375 Fair Lakes Court, Fairfax, Va.

Dear Ms. Pemberton:

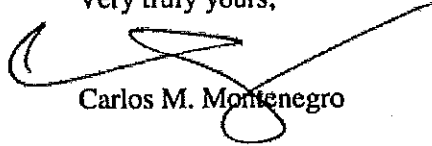
I am writing pursuant to our recent conversation in which you requested further clarification regarding the uses proposed for the application property. Whereas the applicant proposes to retain the right to continue the utilization of the building on the Property for office, approval of the applicant's request would also permit the applicant's use of the Property for use as a college or university within the existing developed 76,897 square foot four story office building with 251 existing parking spaces.

Because the university classes and educational activities will be conducted almost exclusively in the evenings during the work week (classes are scheduled to begin no earlier than 5:30 pm) and Saturdays with the maximum number of students present on campus at any one time not exceeding 200, together with 10 to 15 staff and faculty, the utilization of a portion of the facility for university uses and the balance with office uses will not overtax the parking facilities currently available on the property. Rather, office and university uses' utilization of the parking facilities will be complementary as the business day of the office tenants will have ended and they will have largely vacated the premises, and parking facilities by the time the university students arrive at the Property.

As previously requested, please also find attached, illustrations of the typical signage proposed for the university use, all of which conform with the applicable signage regulations set forth in the Zoning Ordinance.

It is requested that the Planning Commission approve this FDPA to permit the College or University uses as a Permitted Secondary Use on the approved FDP by adopting a development condition stating such use. In addition, the Applicant requests that a waiver of the 23 copies of the FDPA plan be approved in favor of the 11 copies previously submitted.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Carlos M. Montenegro', is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

Carlos M. Montenegro

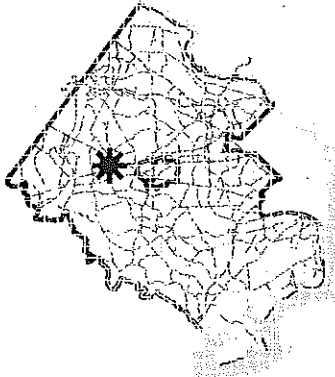
cc: Ms. Jill Martin, Manager, Five Oaks Properties, LLC

Final Development Plan Amendment

FDPA 82-P-069-01-17

Applicant:
Accepted:
Proposed:

FIVE OAKS PROPERTIES, LLC
04/07/2017
AMEND FDP 82-P-069 TO ALLOW COLLEGE/UNIVERSITY

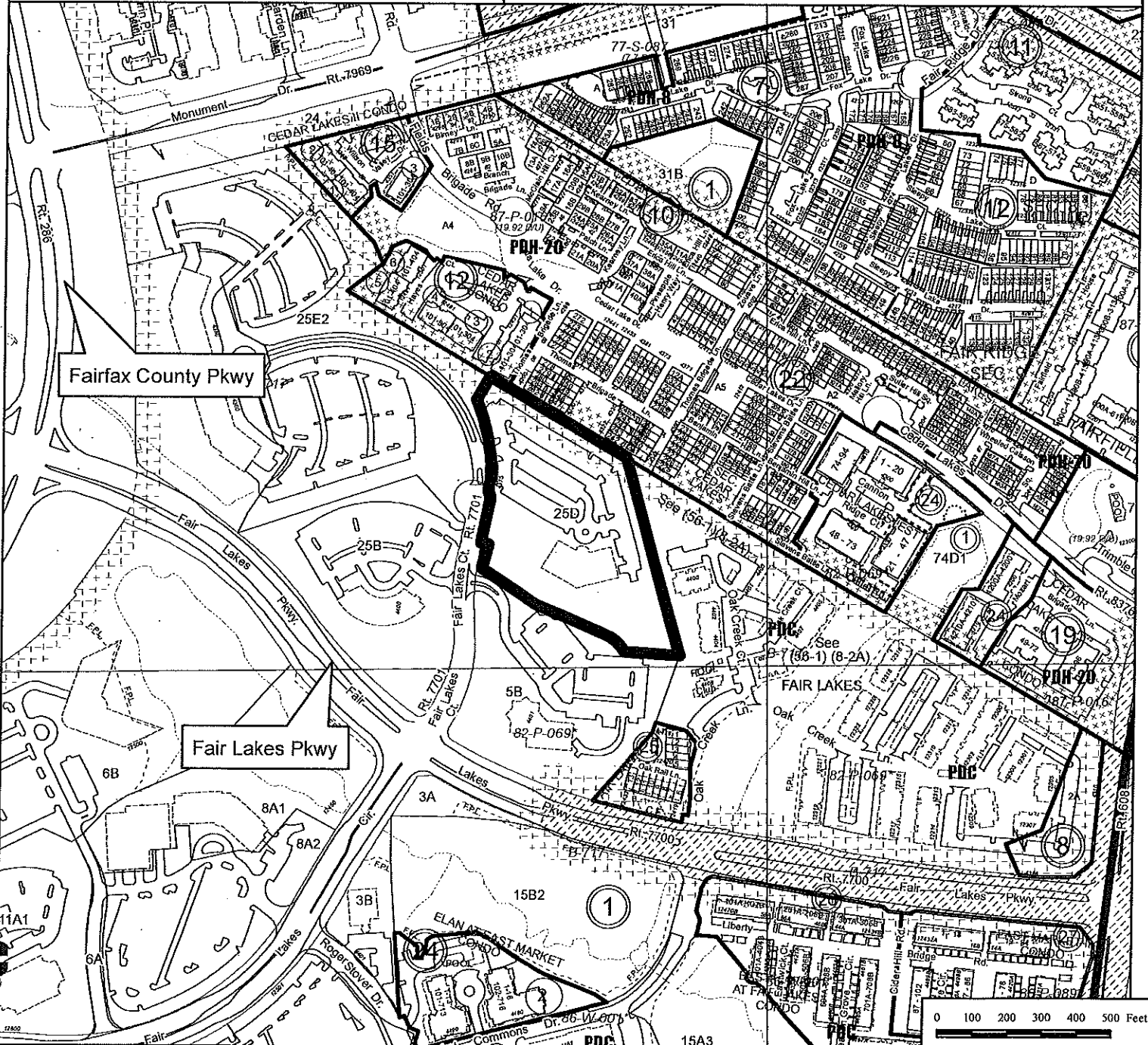


Area:
Zoning Dist Sect:
Located:

6.25 AC; DISTRICT - SPRINGFIELD
EAST SIDE OF FAIR LAKES COURT, APPROX.
600 FEET NORTH OF FAIR LAKES PKWY

Zoning:
Overlay Dist:
Map Ref Num:

PDC
WS
045-4- /01/ /0025D



Final Development Plan Amendment

FDPA 82-P-069-01-17

FIVE OAKS PROPERTIES, LLC

