

**CITY OF FAIRFAX  
PLANNED DEVELOPMENT APPLICATION**

I/We Pulte Home Company, LLC by Robert D. Brant, Attorney-in-Fact/Agent  
(Name of applicant) (Authorized agent's name and relationship to applicant)

a corporation / general partnership / limited partnership / sole proprietorship/individual (circle one) which is the

property owner / contract purchaser / lessee (circle one)

of Lots 67-1-14-043, -055A, -075A, -076A, -077A & 083, and a portion of Cedar Avenue/Walnut Street right of way to be vacated, Block \_\_\_\_\_, Section \_\_\_\_\_ of the Fairfax Heights Subdivision containing approx. 206,386 (Sq. Ft.) on the premises known as 10829 Fairfax Blvd, 10807-10818 Cedar Ave, 3937 Walnut St, 3930 Oak St\* requests that the property currently zoned CR, RMF & RH be rezoned to PD-M. This property is recorded in the land records of Fairfax County in the name of Robert W. Pierce in Deed Book See attached legal description, Page \_\_\_\_\_.

(Name and address of subject property)  
\*3932 Oak St., 3934 Oak St. and a portion of the Cedar Avenue/Walnut Street right of way to be vacated.

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3.C Application Requirements, which states:

1. An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter.
2. The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the city or other parties to show that the standards or criteria have not been met.
3. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. Information needs tend to vary substantially from application to application and to change over time as result of code amendments and review procedure changes. Staff has the flexibility to specify submission requirements for each application and to waive requirements that are irrelevant to specific situations. The applicant shall rely on the review official as to whether more or less information should be submitted."

[Signature] 11-2-2020 Attorney-in-Fact/Agent  
(Signature of applicant or authorized agent) (Title or relationship)

Address Walsh Colucci Lubeley & Walsh, PC 2200 Clarendon Blvd, Ste 1300, Arlington, VA 22201 Phone 703-528-4700

Email rbrant@thelandlawyers.com

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 31st day of December, 2020, do hereby certify that this day personally appeared before me in the State aforesaid Robert Brant Attorney-in-Fact/Agent  
(Name) (Title)  
whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 2nd day of November, 2020, and acknowledged the same before me.

GIVEN under my hand and seal this 2nd day of November, 2020.

Cynthia S Smallwood / 304587  
Notary Public Registration #



**AFFIDAVIT  
CITY OF FAIRFAX**

I, Pulte Home Company, LLC, by Robert D. Brant, attorney-in-fact do hereby make oath or affirmation that  
(name of applicant or agent)

I am an applicant in Application Number Z-18-00539 and that to the best of my knowledge and belief, the following information is true:

1. (a) That the following is a list of names and addresses of all applicants, title owners, contract purchasers, and lessees of the property described in the application, and if any of the foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on behalf of any of the foregoing with respect to the application (attach additional pages if necessary):

See Attachment A

| Name  | Address | Relationship |
|-------|---------|--------------|
| _____ | _____   | _____        |
| _____ | _____   | _____        |
| _____ | _____   | _____        |

(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders (attach additional pages if necessary):

See Attachment B

Corporation Name: \_\_\_\_\_

| Name  | Address | Relationship |
|-------|---------|--------------|
| _____ | _____   | _____        |
| _____ | _____   | _____        |
| _____ | _____   | _____        |

(c) That the following is a list of all partners, both general and limited, in any partnership of the foregoing (attach additional pages if necessary):

N/A

Partnership Name: \_\_\_\_\_

| Name  | Address | Relationship |
|-------|---------|--------------|
| _____ | _____   | _____        |
| _____ | _____   | _____        |
| _____ | _____   | _____        |

2. That no member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESS the following signature:



Applicant or Agent

Pulte Home Company, LLC by Robert D. Brant

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 23 day of July, 2021, in the State of Virginia, County of Arlington

My commission expires: 1/31/22

Alexandra Elizabeth Abyaneh 7698622  
Notary Public/ Registration #



Alexandra Elizabeth Abyaneh  
Commonwealth of Virginia  
Notary Public  
Commission No. 7698622  
My Commission Expires 1/31/2022

## ATTACHMENT A

Pulte Home Company, LLC  
9302 Lee Highway, Suite 1000  
Fairfax, Virginia 22031  
Agents: Stephen S. Collins, Jr. (Former)  
David DeMarco  
Rose-Ellene Sumrall  
Clare McCaffery  
Jeffrey Gothard

Applicant/Contract Purchaser

Robert W. Pierce  
3613 Prosperity Avenue  
Fairfax, VA 22031

Title Owner of Tax Map 057-1-14-043, -055A,  
-075A, -076A, -077A, and -083

City of Fairfax  
10455 Armstrong Street  
Fairfax, VA 22030

Title Owner of Cedar Avenue and Walnut Street  
Right-of-Way

ATCS, P.L.C.  
2553 Dulles View Drive, #300  
Herndon, VA 20171  
Agent: Gregory ("Gus") Brush (Former)  
Chris Neifert  
Melanie Graff  
Gregory White  
Ravi Shrestha (Former)

Engineer/Agent

M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 610  
Tysons, VA 22102  
Agent: John J. Andrus (Former)  
Christopher Turnbull  
Grady P. Vaughan  
Jillian G. Kinder  
William Zeid (Former)

Transportation Consultant/Agent

Robert Charles Lesser & Co., LLC  
7200 Wisconsin Avenue, Suite 1110  
Bethesda, MD 20816  
Agent: Leonard Bogorad (Former)  
Erin Talkington  
Kelly Mangold  
John Rendleman

Economic Consultant/Agent

Enterprise Realty Services, Inc.  
9237 Cambridge Manor Court  
Potomac, MD 20854  
Agent: Stevan Varga

Broker/Agent

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, Virginia 22201

Attorneys/Planners/Agent for Applicant

Agents: Martin D. Walsh  
M. Catharine Puskar  
Robert D. Brant  
Elizabeth D. Baker

Lynne J. Strobel  
Nicholas V. Cumings  
Steven M. Mikulic (Former)  
Kathryn R. Taylor

Bernard S. Suchicital  
Anna B. Smith

## **ATTACHMENT B**

### **Pulte Home Company, LLC**

Sole Member: Pulte Diversified Company, LLC

Pulte Diversified Company, LLC

Sole Member: PulteGroup, Inc.

PulteGroup, Inc.

Publicly traded on the NYSE

### **ATCS, P.L.C.**

Shareholders: Young Ho Chang, John A. Depasquale, Michael J. Rosenfeld, Kevin Porter, Kwong Hui, James W. Whitehead

### **M. J. Wells & Associates, Inc.**

M. J. Wells & Associates, Inc. is an Employee Stock Ownership Plan (ESOP). All employees are eligible Plan participants; however, no one employee owns 10% or more of any class of stock.

### **Robert Charles Lesser & Co., LLC**

Members: Gadi Kaufmann, Charles Hewlett, Adam Ducker, Todd LaRue, Gregg Logan, Robert Gardner, Taylor Mammen

### **Enterprise Realty Services, Inc.**

Sole Shareholder: Stevan Varga

### **Walsh, Colucci, Lubeley & Walsh, P.C.**

Shareholders:

|                     |                    |                       |                     |
|---------------------|--------------------|-----------------------|---------------------|
| Wendy A. Alexander  | John H. Foote      | Charles E. McWilliams | Kathleen H. Smith   |
| David J. Bomgardner | H. Mark Goetzman   | Antonia E. Miller     | Lynne J. Strobel    |
| E. Andrew Burcher   | Bryan H. Guidash   | J. Randall Minchew    | Garth M. Wainman    |
| Thomas J. Colucci   | Michael J. Kalish  | Andrew A. Painter     | Matthew A. Westover |
| Michael J. Coughlin | Michael R. Kieffer | M. Catharine Puskar   |                     |
| Jonelle Cameron     |                    | John E. Rinaldi       |                     |