MEMORANDUM

DATE: 3/15/2021

TO: Distribution List

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

SUBJECT: Special Exception Application Analysis

REFERENCE: Application Number: SE 2021-DR-004 (Falls Church, Propco, LLC)

Case Information

Staff Coordinator: Curtis Rowlette (Cathy Lewis)
Pre-Staffing Date: 4/19/2021 Staffing Date: 5/20/2021
Tentative PC Date: 7/22/2021 Tentative BOS: TBD

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

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

Action addresses are requested to provide written comments to the staff coordinator by (4/14/2021) to be considered in preparing staff's recommendation on this application. Information addresses may also submit any comments by the same date.

Action Addresses

○ DPD Planning Division
  Chief, Env. & Dev. Review Br. Attn: Denise James
  VDOT Attn: Sid Siddiqui
  Fire Prevention Div Attn: Mike Paruti
  Dept. of Transportation Attn: Jeff Hermann
  Fairfax County Park Authority Attn: Lynne Johnson 4th fl
  Planning Commission
  Board of Supervisors
  DPD-Community Revitalization Sec. Attn: Elizabeth Hagg
  “CRD/CRA only”
  DPD-Urban Centers Section Attn: Suzanne Battista
  “Reston or Tysons only”

Information Addresses

○ Planning Commission Executive Director Attn: Jill Cooper
  Economic Dev. Authority Dir. Real Estate Services Attn: Curtis Hoffman
  Clerk to Board of Supervisors Attn: Jill Cooper
  Dept. of Information Technology Technology Infrastructure Div. Attn: Steve Brundage
  Dept. of Health Div. of Environmental Health Technical Review and Information Resources Attn: Kevin Wastler
  Northern Va Soil and Water Conservation District Attn: Willie Wood
  DPWES Sanitary-Sewer Attn: Sharad Regmi
  Dept. of Family Services Adult Aging Services AAA, B-3-768 Attn: Jacquie Woodruff

DPD-ZED Division Director Attn: Tracy Strunk
DPD-ZED Asst. Director Attn: Suzanne Wright
DPD-ZED Attn: Branch Chiefs
DPD-ZED Conformance Review & Acceptance Br. Attn: Suzanne Wright
DPD-ZED Admin, Asst., Legal Notices Attn: Rachael Pendergraph
DPD Chief Zoning Inspector Attn: ZIB Mail- Roger Marcy
Southeast Fairfax Dev. Corp. Attn: Tony Fontana
“MV or LEE only”

County of Fairfax, Virginia

Department of Planning and Development
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia, 22035-5509
Phone: 703 324-1290 / Fax: 703 324-3924
www.fairfaxcounty.gov/planning-development/
### COUNTY OF FAIRFAX

APPLICATION No: **SE 2021 - DR - 004**

Department of Planning and Development
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035  (703) 324-1290, TTY 711
https://www.fairfaxcounty.gov/planning-development/zoning/application-packages

**APPLICATION FOR A SPECIAL EXCEPTION**

(PLEASE TYPE or PRINT IN BLACK INK)

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>NAME</th>
<th>Falls Church Propco LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MAILING ADDRESS</td>
<td>5215 W. Cedar Lane, Bethesda, Maryland 20814</td>
</tr>
<tr>
<td></td>
<td>PHONE</td>
<td>HOME () WORK ()</td>
</tr>
<tr>
<td></td>
<td>PHONE MOBILE ()</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROPERTY INFORMATION</th>
<th>PROPERTY ADDRESS</th>
<th>2100 Powhatan Street, Falls Church, Virginia 22043</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAX MAP NO.</td>
<td>SIZE (ACRES/SQ FT)</td>
<td>41-1 ((1)) 62B Approximately 7.67 acres</td>
</tr>
<tr>
<td>ZONING DISTRICT</td>
<td>MAGISTERIAL DISTRICT</td>
<td>R-1 and R-4 Dranesville</td>
</tr>
<tr>
<td>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</td>
<td>N/A</td>
<td></td>
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<table>
<thead>
<tr>
<th>SPECIAL EXCEPTION REQUEST INFORMATION</th>
<th>ZONING ORDINANCE SECTION</th>
<th>3-104, 3-404, 9-302, 9-308</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPOSED USE</td>
<td>Continuation of a previously approved medical care facility (S-16-72) with a change in ownership</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AGENT/CONTACT INFORMATION</th>
<th>NAME</th>
<th>Lynne J. Strobel, Attorney/Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAILING ADDRESS</td>
<td>Walsh, Colucci, Lubeley &amp; Walsh, P.C.</td>
<td>2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201</td>
</tr>
<tr>
<td>PHONE NUMBER</td>
<td>HOME</td>
<td>703-528-4700</td>
</tr>
<tr>
<td>WORK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PHONE NUMBER</td>
<td>MOBILE</td>
<td></td>
</tr>
</tbody>
</table>

Mailing: Send all correspondence to (check one): [ ] Applicant —or— [✓] Agent/Contact

The name(s) and addresses 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 representatives on official business to enter the subject property as necessary to process the application.

Lynne J. Strobel, Attorney/Agent

TYPE/PRINT NAME OF APPLICANT/AGENT

SIGNATURE OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

Date application accepted: **3/1/2021**

 Application Fee Paid: **$4,187.50**
Via Hand Delivery

Tracy Strunk, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Proposed Special Exception Application
Fairfax County Tax Map Reference: 41-1 ((1)) 62B
Applicant: Falls Church Propco LLC

Dear Ms. Strunk:

Please accept this letter as a statement of justification for a special exception to permit a change in ownership on property identified among the Fairfax County tax map records as 41-1 ((1)) 62B (the “Subject Property”).

The Applicant is the contract purchaser of approximately 7.67 acres located between Powhatan Street (Route 2833) to the east and Wicomico Street (Route 2839) to the west. Included in the Dranesville Magisterial District, the Subject Property is split-zoned to the R-1 and R-4 Districts. Residential development surrounds the Subject Property, which is developed as the Powhatan Nursing Home. The Powhatan Nursing Home has access to Powhatan Street.

Powhatan Nursing Home has been a part of the community since its construction in 1965. The facility has been family-owned and operated since its establishment. The Subject Property’s zoning history begins with the Board of Zoning Appeals’ (the “BZA”) approval of a special permit application to permit the construction and operation of a nursing and convalescent home with a total of 160 beds on January 9, 1962. The BZA granted an extension of the special permit on September 22, 1964 as construction on the nursing home had not yet commenced. A site plan was subsequently processed and approved for a building with 93 beds. The BZA granted a second special use permit, referenced as S-16-72, on June 14, 1972 subject to specific conditions, including a maximum of 160 beds. Special permit S-16-72 currently governs the Subject Property. The existing improvements were constructed in accordance with As-Built Site Plan No. 1116 that includes a building addition to the original construction and 89 parking spaces.

The Applicant proposes to purchase Powhatan Nursing Home and continue its existing operations. According to the approval conditions listed in S-16-72, construction of additional structures, changes in use, or inclusion of additional uses will cause the permit to be re-evaluated.
by the BZA. The conditions further specify “changes” to include changes in ownership, among others. Since the special permit approval in 1972, the Fairfax County Zoning Ordinance (the “Zoning Ordinance”) has been amended, such that a nursing home use is no longer allowed by special permit, but the approval of a special exception in the R-1 and R-4 Districts. Although the Applicant does not propose any physical changes to the Subject Property, the type of use, or an increase in the number of beds, it has been determined that a change in the ownership requires the approval of a special exception. Therefore, the Applicant proposes a special exception for the single purpose of permitting a change in the ownership of the Subject Property.

The Applicant is an experienced operator of age-restricted housing. Upon the purchase of the Powhatan Nursing Home, the Applicant will continue the nursing home use, which offers valuable and beneficial services to the surrounding community. These services include long-term and short-term care to individuals who require assistance with daily living. The care provided includes rehabilitation programs, physical therapy and occupational therapy. The Applicant plans minor exterior and interior repairs to refurbish and upgrade the aging building.

In accordance with the Zoning Ordinance requirements of Section 9-011, please accept the following information regarding the Applicant’s proposal:

- **Type of Operation**: A nursing care facility with accommodations and services for individuals requiring constant care. Maintaining the current operations, the Applicant will provide housing, meals, programming, and supportive care services associated with the activities of daily living. A nursing care facility is included within the Zoning Ordinance definition of a medical care facility.

- **Hours of Operation**: 24 hours a day/7 days a week.

- **Estimated Number of Residents**: The maximum number of residents is 160, as 160 beds are permitted within the building.

- **Number of Employees**: Based on anticipated occupancy, the proposed number of employees is a maximum of 50 individuals on the Subject Property at any one time. Employees include nurses, aides, physical therapists, kitchen staff, administrative staff, and maintenance. The total number of employees is approximately 120. The building operates with three shifts of health care employees per day. The shift times are approximately 7:00 a.m. to 3:00 p.m.; 3:00 p.m. to 11:00 p.m.; and 11:00 p.m. to 7:00 a.m. The shift with the maximum number of employees present is 7:00 a.m. to 3:00 p.m.

- **Total Number of Vehicle Trips**: Given that employees work on shifts and arrivals/departures are staggered, traffic does not adversely affect the surrounding residential neighborhood. The peak hour for arrivals at the Subject Property is between 7:30 a.m. and 8:30 a.m. and for departures between 2:30 p.m. and 3:30 p.m. Approximately 15 to 20 visitors arrive and depart the Subject Property daily. Visitors include vendors and those who are visiting the residents. The
building is currently closed to resident visitors because of the pandemic. During normal times, the number of daily visitors to residents increases on special occasions or holidays such as Mother's Day, Father's Day and Christmas. These visitors primarily arrive and depart from the Subject Property in the evening and on Saturdays and Sundays, which are non-peak traffic hours. Lastly, residents do not own or maintain vehicles on the Subject Property.

- **The Vicinity or General Area to be Served:** The existing use serves a radius of approximately 10 to 15 miles and primarily serves McLean and Falls Church.

- **Architecture:** The existing building is brick and stone with most of the building having a flat roof. Slope roof elements are located at building entrances. The Applicant will retain the existing building located on the Subject Property. While the Applicant plans to make minor repairs and maintenance improvements, such improvements will not modify the overall appearance of the building nor result in physical changes to the Subject Property.

- **Hazardous Materials:** The Applicant is not aware of any hazardous or toxic substances located on the Subject Property. Given the nature of the existing use, such use does generate, utilize, store, treat or dispose of hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; and/or hazardous waste as set forth in Commonwealth of Virginia/Department of Waste Management VR 672-10-1-Virginia Hazardous Waste Management Regulations. To the Applicant’s best knowledge, these substances are and will continue to be utilized, stored, and disposed of in accordance with said regulations.

- **Modifications:** To the best of the Applicant’s knowledge, the existing use conforms to the provisions of all applicable ordinance regulations, adopted standards and any applicable conditions except as identified herein. Any non-conforming elements of the existing use will remain as legally established non-conformities.

In addition to the general standards of Section 9-011, the Applicant’s proposal meets the additional standards for medical care facilities as detailed in Section 9-308 of the Zoning Ordinance as follows:

- **As the Powhatan Nursing Home has been operating without issue since 1965, and as there are no changes proposed to the existing use or the number of beds, the Applicant does not believe a recommendation from the Health Care Advisory Board (“HCAB”), is warranted and requests that this standard be waived by the Board of Supervisors.**

- **The existing use adequately accommodates service vehicles with access to the building at the rear entrance.**
• The existing facility on the Subject Property fronts and has direct access to Powhatan Street, which is a collector street.

• The existing building is located more than 164 feet to any street line and is no closer than 99.9 feet to any lot line. A minor modification to this standard is requested.

• The Subject Property contains more than 5 acres.

Lastly, the Applicant’s proposal to acquire and operate an existing medical care facility is in conformance with the general standards for special exceptions found in Section 9-006 of the Zoning Ordinance. The Applicant meets the standards as follows:

• The existing nursing care facility is in harmony with the recommendations of the Comprehensive Plan as a compatible use to the surrounding stable residential neighborhood.

• The existing use is in harmony with the general purpose and intent of the applicable zoning district regulations. The Subject Property is zoned to the R-1 and R-4 Districts which are intended to provide for residential uses and other uses that are compatible with the character of these districts and the intent of the Zoning Ordinance. The existing use serves the needs of Fairfax County’s aging population. The existing building is predominately one-story and residential in character. The use is compatible with the character of the R-1 and R-4 Districts and the intent of the Zoning Ordinance.

• The use is harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the Plan. The nursing care facility has been a part of the community since 1965 and fits within the fabric of the surrounding area. Generous setbacks are provided to all property lines and the building height is lower than permitted for residential uses in the R-1 and R-4 Districts. The proposed use does not generate impacts on peak traffic and does not generate noise or lighting that adversely impacts adjacent properties.

• The proposed use does not generate hazardous pedestrian and vehicular traffic that will conflict with existing and anticipated traffic in the neighborhood. The Subject Property has a direct access to Powhatan Street and does not create cut-through traffic in adjacent residential neighborhoods nor does it generate typical peak hour vehicular trips.

• The Subject Property includes landscaping around its perimeter to screen the existing building.
The Subject Property has sufficient open space to meet the requirements of the R-1 and R-4 Districts.

The existing improvements are served by adequate utility, drainage, parking, loading and other necessary facilities to serve the use.

All signs shall meet the requirements of Article 12 of the Zoning Ordinance.

The Applicant’s proposal to acquire and maintain the existing use on the Subject Property will benefit the surrounding residential neighborhoods. The nursing care facility is appropriately located in a residential setting, and the Applicant’s proposal will continue to provide much needed housing and services for seniors who live in Fairfax County. It will also allow seniors to continue to live in Fairfax County in proximity to family and friends.

I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As this is a single-issue application, I ask that it be processed expeditiously.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

Kathryn R. Taylor

cc: Derek Vucich
    Lynne J. Strobel
Special Exception
SE  2021-DR-004

Applicant:  FALLS CHURCH PROPCO LLC
Accepted:  03/11/2021
Proposed:  MEDICAL CARE FACILITY
Area:  7.67 AC; DISTRICT - DRANESVILLE
Zoning Dist Sect:  03-0104
Located:  2100 POWHATAN STREET
Zoning:  R-1
Plan Area:  2,
Overlay Dist:  
Map Ref Num:  041-1-/01/-0062B
SPECIAL EXCEPTION AFFIDAVIT

DATE: January 21, 2021

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an applicant or authorized agent

(check one) [ ] applicant
[✓] applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): SE _____________________________
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,* and, if any of the foregoing is a TRUSTEE,** each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Falls Church Propco LLC</td>
<td>5215 W. Cedar Lane Bethesda, MD 20814</td>
<td>Applicant/Contract Purchaser of Tax Map 41-1 ((1)) 62B</td>
</tr>
<tr>
<td>Agents: Derek R. Vucich Joseph L. Vucich</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cynthia L. Butler</td>
<td>5204 Bradwood Street Springfield, VA 22152</td>
<td>Title Owner of Tax Map 41-1 ((1)) 62B</td>
</tr>
<tr>
<td>Falls Church Opco LLC</td>
<td>2100 Powhatan Street Falls Church, VA 22043</td>
<td>Operator</td>
</tr>
<tr>
<td>Agents: Derek R. Vucich Joseph L. Vucich</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(check if applicable) [✓] There are more relationships to be listed and Par. 1(a) is continued on a “Special Exception Attachment to Par. 1(a)” form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).
Special Exception Attachment to Par. 1(a)

DATE: ______________
(enter date affidavit is notarized)

for Application No. (s): ______________
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

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<tbody>
<tr>
<td>Walsh, Colucci, Lubeley &amp; Walsh, P.C.</td>
<td>2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201</td>
<td>Attorneys/Planners/Agent</td>
</tr>
<tr>
<td>Agents: Lynne J. Strobel</td>
<td></td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>M. Catharine Puskar</td>
<td></td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>Andrew A. Painter</td>
<td></td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>Robert D. Brant</td>
<td></td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>Kathryn R. Taylor</td>
<td></td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>Elizabeth D. Baker</td>
<td></td>
<td>Planner/Agent</td>
</tr>
<tr>
<td>Bernard S. Suchicital</td>
<td></td>
<td>Planner/Agent</td>
</tr>
</tbody>
</table>

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued further on a “Special Exception Attachment to Par. 1(a)” form.
SPECIAL EXCEPTION AFFIDAVIT

DATE: January 21, 2021
(enter date affidavit is notarized)

for Application No. (s): SE
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
Falls Church Propco LLC
5215 W. Cedar Lane
Bethesda, MD 20814

DESCRIPTION OF CORPORATION: (check one statement)
[✓] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Sole Member/Manager: The Joseph Gift Trust Dynasty Trust

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued on a “Special Exception Affidavit Attachment 1(b)” form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.
Special Exception Attachment to Par. 1(b)

DATE: January 21, 2021
(enter date affidavit is notarized)

for Application No. (s): SE
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
The Joseph Gift Trust Dynasty Trust
5215 W. Cedar Lane
Bethesda, MD 20814

DESCRIPTION OF CORPORATION: (check one statement)

[✓] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Trustees: Beneficiaries:
Derek R. Vucich Joseph L. Vucich Christina V. Hennessy
Joseph L. Vucich Lois L. Vucich Victoria F. Vucich
Lois L. Vucich Derek R. Vucich Bryant J. Vucich

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Falls Church Opco LLC d/b/a Vierra Falls Church
2100 Powhatan Street
Falls Church, VA 22043

DESCRIPTION OF CORPORATION: (check one statement)

[✓] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Sole Member/Manager: Derek R. Vucich

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued further on a “Special Exception Attachment to Par. 1(b)” form.
Special Exception Attachment to Par. 1(b)

DATE: ____________________________
January 21, 2021
(enter date affidavit is notarized)

for Application No. (s): ________ SE ________________
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

DESCRIPTION OF CORPORATION: (check one statement)
[  ] There are 10 or less shareholders, and all of the shareholders are listed below.
[✓] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[  ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

<table>
<thead>
<tr>
<th>Name</th>
<th>First Name</th>
<th>Middle Initial</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wendy A. Alexander</td>
<td>John H. Foote</td>
<td>Charles E. McWilliams</td>
<td>Kathleen H. Smith</td>
</tr>
<tr>
<td>David J. Bomgardner</td>
<td>H. Mark Goetzman</td>
<td>Antonia E. Miller</td>
<td>Lynne J. Strobel</td>
</tr>
<tr>
<td>E. Andrew Burcher</td>
<td>Bryan H. Guidash</td>
<td>J. Randall Minchew</td>
<td>Erin M. Thiebert</td>
</tr>
<tr>
<td>Jonelle M. Cameron</td>
<td>Michael J. Kalish</td>
<td>Andrew A. Painter</td>
<td>Garth M. Wainman</td>
</tr>
<tr>
<td>Thomas J. Colucci</td>
<td>Michael R. Kieffer</td>
<td>M. Catharine Puskar</td>
<td>Matthew A. Westover</td>
</tr>
<tr>
<td>Michael J. Coughlin</td>
<td>John E. Rinaldi</td>
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<td></td>
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NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)
[  ] There are 10 or less shareholders, and all of the shareholders are listed below.
[  ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[✓] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.
Special Exception Affidavit

Date: January 21, 2021
(enter date affidavit is notarized)

For Application No (s): SE
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

Partnership Information

Partnership Name & Address: (enter complete name, and number, street, city, state, and zip code)
None

(check if applicable) [ ] The above-listed partnership has no limited partners.

Names and Title of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a “Special Exception Affidavit Attachment to Par. 1(c)” form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.
SPECIAL EXCEPTION AFFIDAVIT

DATE: January 21, 2021
(enter date affidavit is notarized)

for Application No. (s): SE
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land:

[√] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter “NONE” on the line below.)
None

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a “Special Exception Attachment to Par. 2” form.
SPECIAL EXCEPTION AFFIDAVIT

DATE: January 21, 2021
(enter date affidavit is notarized)

for Application No. (s): SE
(county-assigned application number(s), to be entered by County Staff)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than $100, singularly or in the aggregate, with any of those listed in Par. 1 above. EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter “NONE” on line below.) None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a “Special Exception Attachment to Par. 3” form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

[ ] Applicant
[ ] Applicant’s Authorized Agent

Lynne J. Strobel, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21 day of January 2021, in the State/Comm. of Virginia, County/City of Arlington.

My commission expires: 11/30/2023

KIMBERLY K. FOLLIN,
NOTARY PUBLIC
ID #283945