



APPLICATION ACCEPTED: October 19, 2007
APPLICATION AMENDED: July 11, 2008
PLANNING COMMISSION: September 24, 2008
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

September 18 2008

STAFF REPORT

APPLICATION PCA 93-V-028-02 & SE 2007-MV-031

MOUNT VERNON DISTRICT

APPLICANT: Lorton Corner Road, LLC

PRESENT ZONING: C-5

PARCEL(S): 108-3 ((1)) 2 & 3;
108-3 ((2)) 2, 5, & 6 and a portion of Lorton Road public right-of-way to be vacated and/or abandoned.

ACREAGE: PCA 93-V-028-02 – 3.69 acres
SE 2007-MV-031 - 3.56 acres

FAR: 0.12

OPEN SPACE: 47%

PLAN MAP: Retail & Other

PROPOSAL: PCA - Amend the GDP and proffers previously approved with PCA 93-V-028.

SE - To permit a drive-in financial institution and drive-through pharmacy on the subject site.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 93-V-028-02 subject to the draft proffers contained in Appendix 1.

St. Clair Williams

Staff recommends approval of SE 2007-MV-031 subject to the development conditions contained in Appendix 2.

Staff recommends approval of the modification of the transitional screening requirement and waiver of the barrier requirement along Richmond Highway where the subject site is adjacent to the residentially-zoned properties in favor of the landscaping shown on the GDP/SE Plat.

Staff recommends approval of the modification of the transitional screening requirement along the north property line in favor of the 12-foot wide transitional screening yard and seven-foot high masonry wall as shown on the GDP/SE Plat.

Staff recommends approval of the waiver of the service drive requirement along the north side of Richmond Highway.

Staff recommends approval of the modification of the Comprehensive Plan trail requirement along the north side of Richmond Highway in favor of the existing five-foot wide concrete sidewalk shown on the GDP/SE Plat.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA 93-V-028-02

Applicant: LORTON CORNER ROAD LLC
Accepted: 10/19/2007 AMENDED; 07/11/2008
Proposed: AMEND RZ 93-V-028 PREVIOUSLY APPROVED FOR RETAIL DEVELOPMENT TO PERMIT SITE MODIFICATIONS

Area: 3.69 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect:
Located: NORTHEAST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND RICHMOND HIGHWAY

Zoning: C-5

Overlay Dist:

Map Ref Num: 108-3 ((1)) 2 AND 3; 108-3 ((2)) 2, 5 AND 6 AND A PORTION OF LORTON RD. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED

Special Exception

SE 2007-MV-031

Applicant: LORTON CORNER ROAD LLC
Accepted: 10/19/2007 AMENDED; 07/11/2008
Proposed: DRIVE-IN FINANCIAL INSTITUTION AND DRIVE-THRU PHARMACY

Area: 3.556 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 04-0504
Art 9 Group and Use: 5-36 5-06

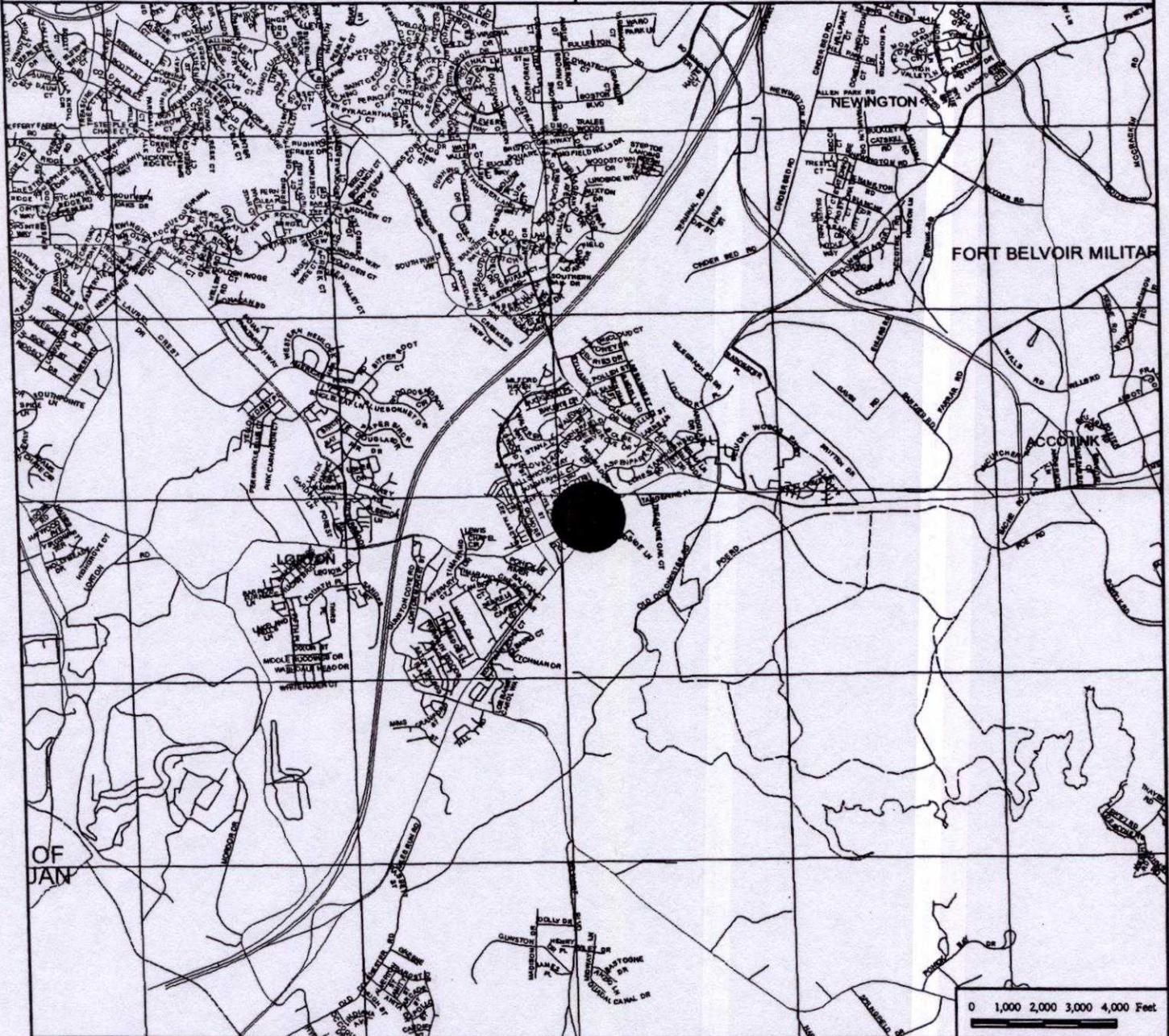
Located: 9360, 9260 AND 9372 RICHMOND HIGHWAY AND 7637 AND 7621 LORTON ROAD

Zoning: C-5

Plan Area: 4,

Overlay Dist:

Map Ref Num: 108-3 ((1)) 2 AND 3; 108-3 ((2)) 2, 5 AND 6 AND A PORTION OF LORTON RD. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED



Proffered Condition Amendment

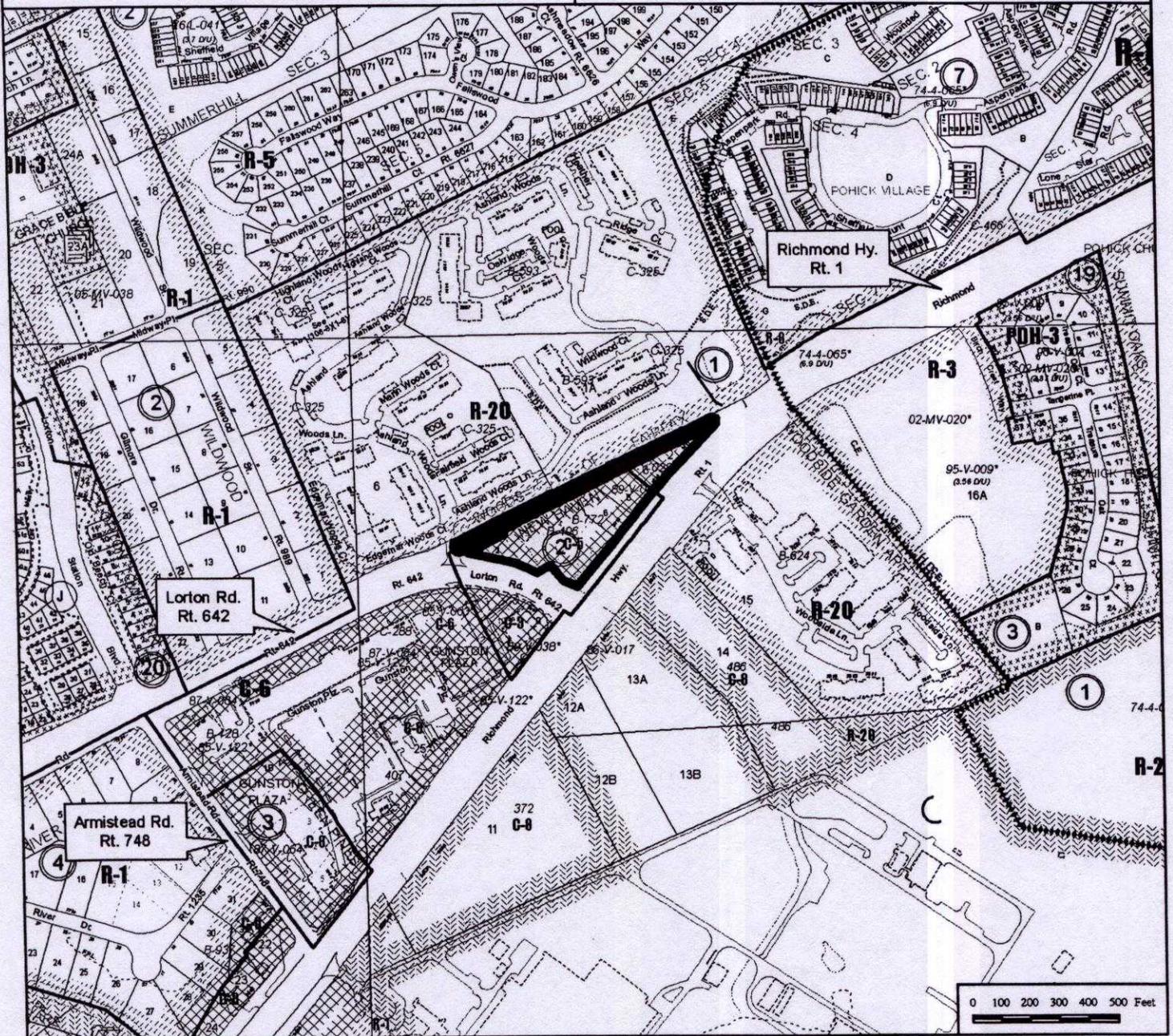
PCA 93-V-028-02

Applicant: LORTON CORNER ROAD LLC
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Proposed: AMEND RZ 93-V-028 PREVIOUSLY APPROVED FOR RETAIL DEVELOPMENT TO PERMIT SITE MODIFICATIONS
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Zoning: C-5
Overlay Dist:
Map Ref Num: 108-3 ((1)) 2 AND 3; 108-3 ((2)) 2, 5 AND 6 AND A PORTION OF LORTON RD. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED

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SE 2007-MV-031

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Art 9 Group and Use: 5-36 5-06
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Plan Area: 4,
Map Ref Num: 108-3 ((1)) 2 AND 3; 108-3 ((2)) 2, 5 AND 6 AND A PORTION OF LORTON RD. PUBLIC RIGHT-OF-WAY TO BE VACATED AND/OR ABANDONED



LORTON CORNER
 MT. VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 PROFFERED CONDITION AMENDMENT/SPECIAL EXCEPTION

DATE: 11-28-07
 SHEET NO. 2 OF 12
 PL-3802

Hunterley, Nyce & Associates, Ltd.
 HUNTERLEY - NYCE & ASSOCIATES, LTD.
 ARCHITECTS - CIVIL ENGINEERS - LAND PLANNERS
 1000 MARKET STREET, SUITE 100
 CHANTILLY, VIRGINIA 20151
 TEL: 703-891-2100 FAX: 703-891-2101
 www.hunterley.com



CURVE TABLE

CURVE	CHORD	BEARING	DELTA	PIECEWISE	LENGTH
C1	170.00'	242.13°	107.34°	107.34°	242.13'
C2	170.00'	107.34°	242.13°	107.34°	242.13'
C3	170.00'	242.13°	107.34°	107.34°	242.13'
C4	170.00'	107.34°	242.13°	107.34°	242.13'
C5	170.00'	242.13°	107.34°	107.34°	242.13'
C6	170.00'	107.34°	242.13°	107.34°	242.13'
C7	170.00'	242.13°	107.34°	107.34°	242.13'
C8	170.00'	107.34°	242.13°	107.34°	242.13'
C9	170.00'	242.13°	107.34°	107.34°	242.13'
C10	170.00'	107.34°	242.13°	107.34°	242.13'

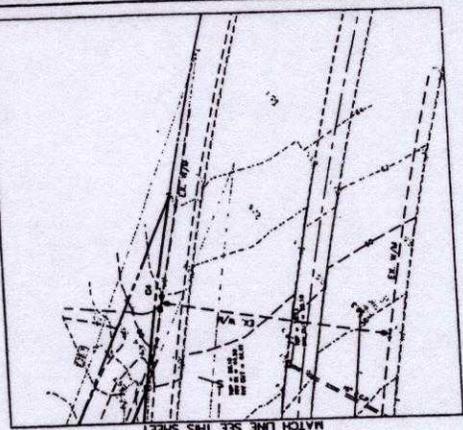
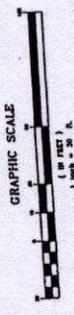
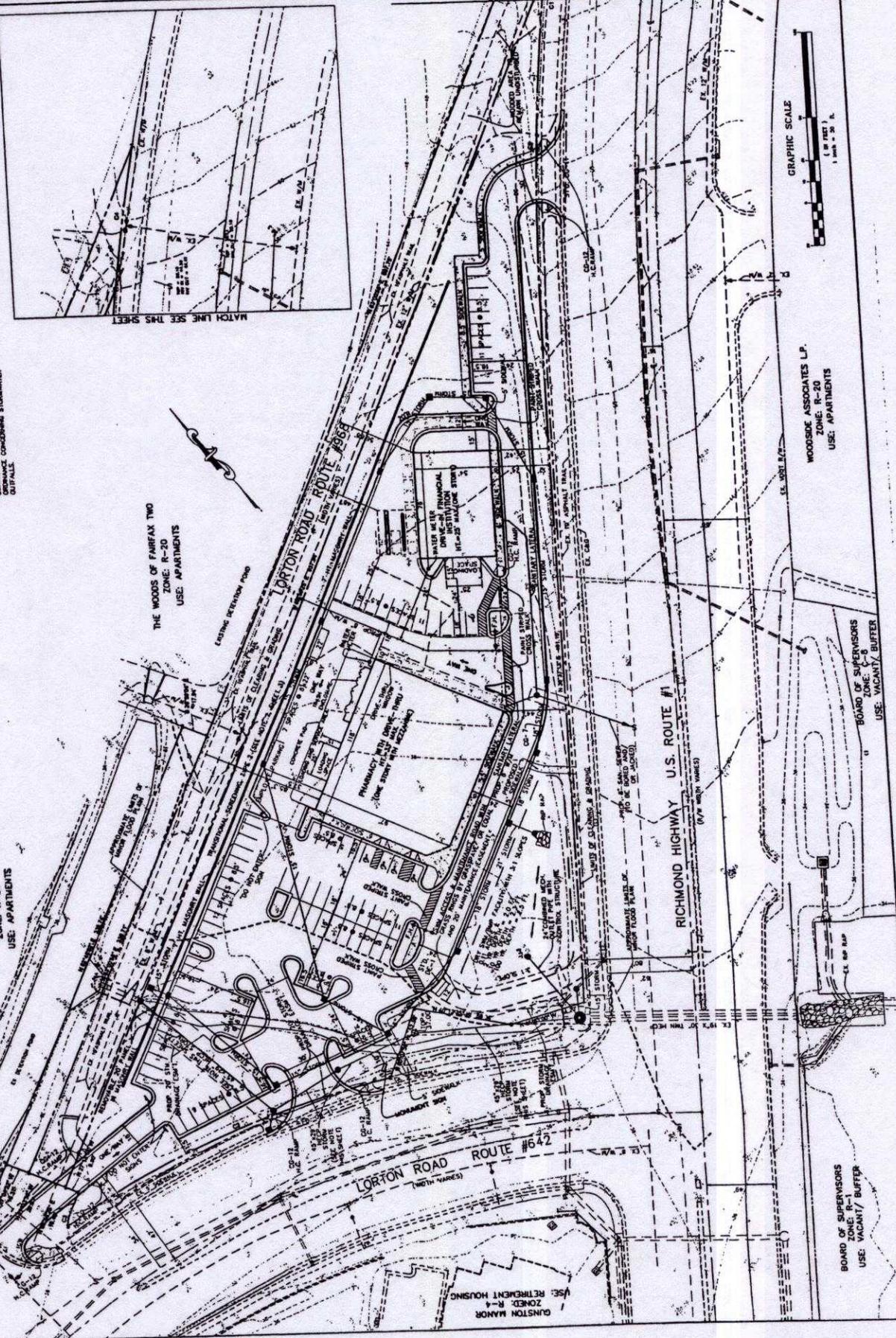
THE WOODS OF FAIRFAX
 ZONE: R-20
 USE: APARTMENTS

THE WOODS OF FAIRFAX TWO
 ZONE: R-20
 USE: APARTMENTS

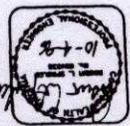
WOODSIDE ASSOCIATES L.P.
 ZONE: R-20
 USE: APARTMENTS

BOARD OF SUPERVISORS
 ZONE: C-8
 USE: VACANT/ BUFFER

BOARD OF SUPERVISORS
 ZONE: R-4
 USE: RETIREMENT HOUSING



Hunterly, Nyce & Associates, Ltd.
 7000 Westpark Drive, Suite 100
 Fairfax, Virginia 22031
 703-752-0100 FAX 703-752-0101

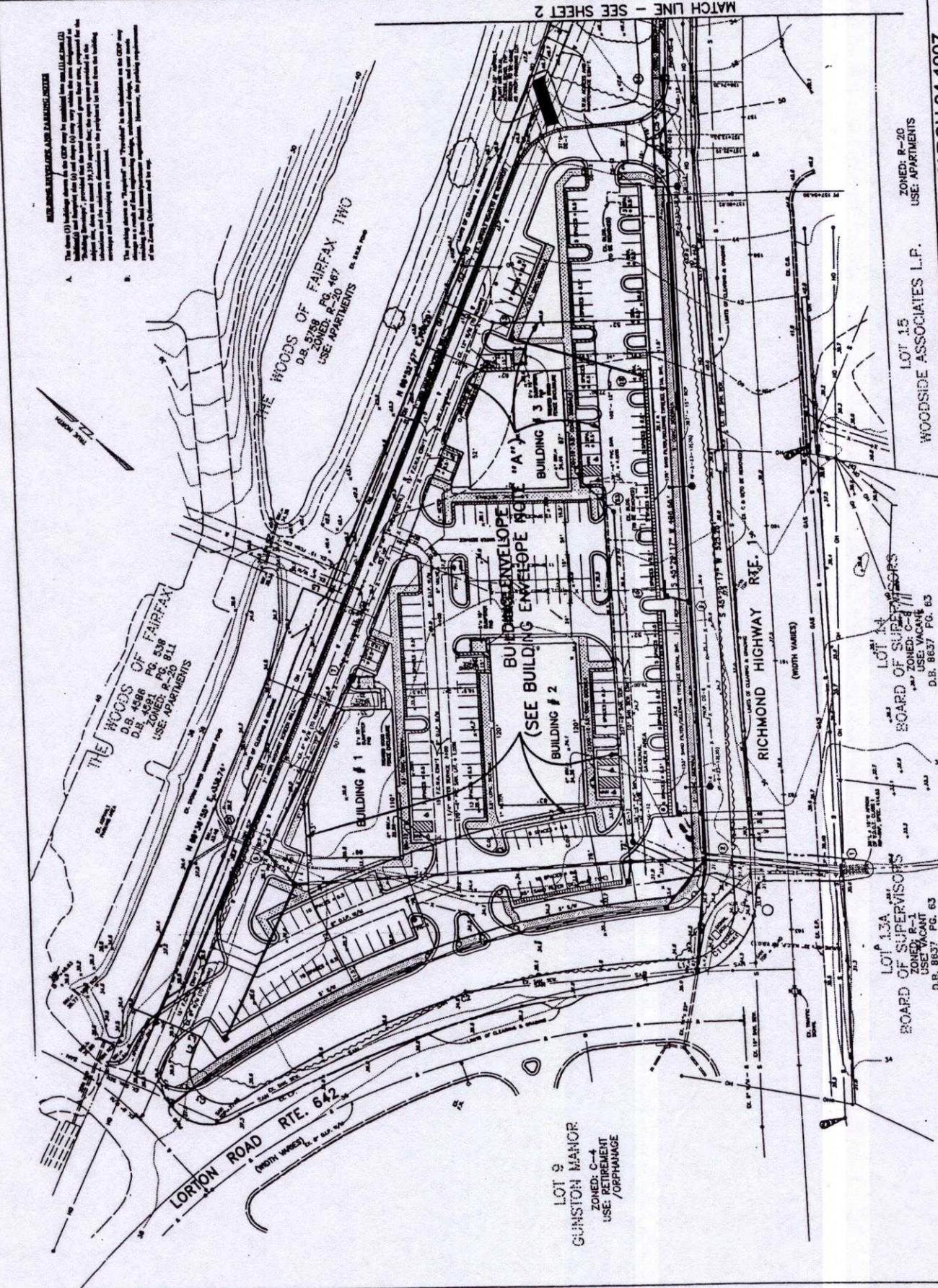


GENERALIZED DEVELOPMENT PLAN, LANDSCAPING PLAN
LORTON CORNER (FORMERLY NEW HAVEN)
 FAIRFAX COUNTY, VIRGINIA
 PROPOSED CONDITION AMENDMENT RZ 93-V-028

DATE:	03-04-99
REVISIONS:	
REV. NO.:	1
REV. DATE:	03-04-99
REV. BY:	JK
REV. CHECKED BY:	JK

SHEET 1 OF 4
 FILE NO. N-1148

SHEET 8 OF 12



PLAN PCA 93-V-028 APPROVED BY BOARD OF SUPERVISORS, MARCH 24, 1997

FOR INFORMATION PURPOSES ONLY.

GENERAL ENVELOPE AND PARKING NOTES

A. The area (B) building shown on the site plan is to be subdivided into lots (B) and (C) and shall be developed as a "Building Envelope" provided that the total number of parking spaces, including those provided for the building, shall not be less than 20,000 spaces for the entire site. The building shall be developed in accordance with the following conditions and the subdivision shall be approved.

B. The parking spaces to be provided shall be located on the site and shall be developed in accordance with the following conditions and the subdivision shall be approved.

Huntley, Nye & Associates, Ltd.
 CIVIL ENGINEERING - LAND PLANNING
 1400 ALBERTA STREET, SUITE 100
 CHARLOTTE, NORTH CAROLINA 28203
 TEL: 704-375-7800 FAX: 704-375-7809

CONTRACT NO. 11-11-11
 DATE: 01-25-07

Address: 714 Chrysler Building, 12th Floor, New York, NY 10017
 OFFICE: NEW YORK



LORTON CORNER
 MT. VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
DRAINAGE DIVIDES EXHIBIT, EXISTING DAM AND EX. 36' CULVERT
 PROFILE, AND DETAIL OF REMOVABLE WALL PANEL

SCALE: AS SHOWN

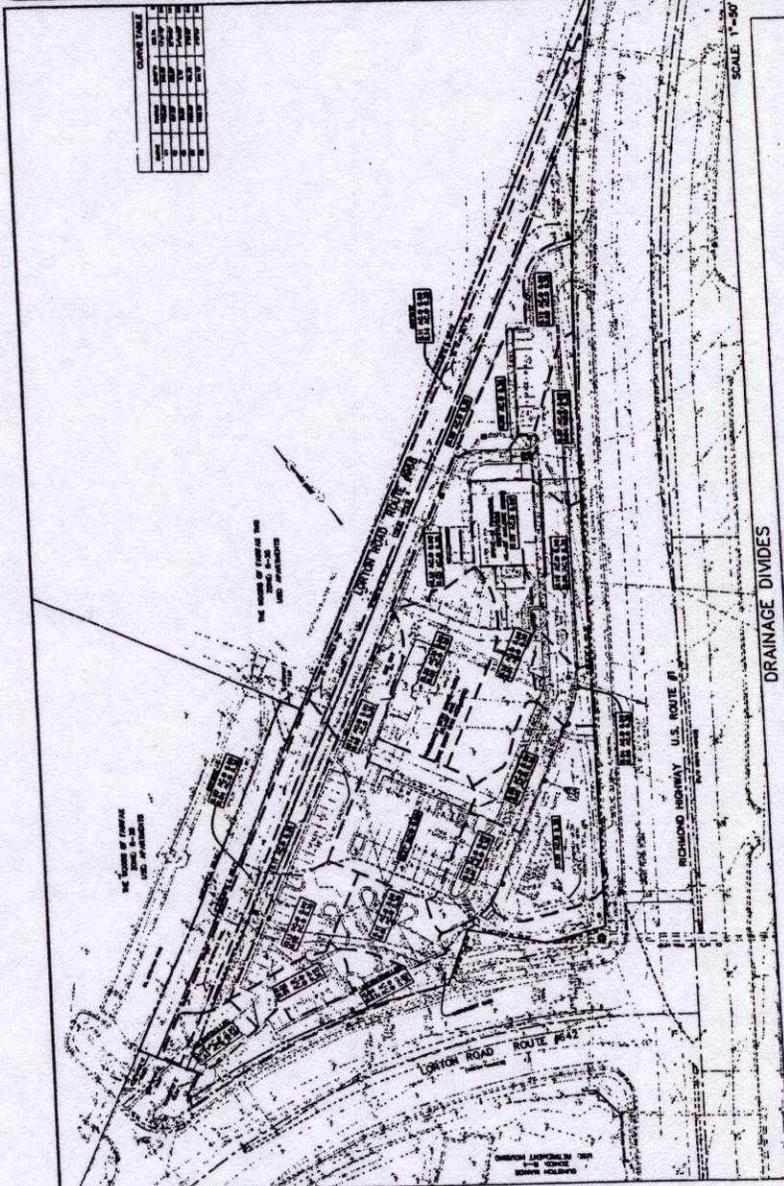
DATE: 01-25-07

REVISIONS:

NO.	DATE	DESCRIPTION
1	01-25-07	ISSUED FOR PERMIT
2	07-15-07	REVISED TO SHOW EX. 36' CULVERT
3	10-20-07	REVISED TO SHOW EX. 36' CULVERT

PL: 3802

11 of 12



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Lorton Corner Road LLC, has filed a proffered condition amendment (PCA) to amend the Generalized Development Plan (GDP) and proffers approved with PCA 93-V-028 and a special exception (SE) to permit a drive-in financial institution and drive-through pharmacy on the 3.69 acre site located at the intersection of Lorton Road and Richmond Highway. A 3,848 square foot (SF) drive-in financial institution with three drive-through lanes is proposed. The proposed pharmacy with one drive-through lane will have 10,940 square feet of retail space and a 4,000 SF mezzanine space for merchandise storage, for a total gross floor area (GFA) of 14,940 SF. A 0.12 FAR is proposed on the total site. A total of 103 parking spaces are proposed, which meets the parking requirement. Forty-seven percent (47%) open space is provided; 20% is required. Three access points to the site are proposed, one from Richmond Highway and two from Lorton Road.

The PCA application includes a portion of Lorton Road public right-of-way that the applicant has requested to be vacated and/or abandoned under Section 33.1-155 of the Code of Virginia. That portion of Lorton Road public right-of-way is not a part of the area subject to the Special Exception request, though it is part of the PCA application.

A reduction of the combined Generalized Development Plan/Special Exception Amendment Plat (GDP/SE Plat) is included in the front of this report. The applicant's draft proffer statement for PCA 93-V-028-02 is included as Appendix 1. Appendix 2 is the proposed development conditions for SE 2007-MV-031. The applicant's affidavits are in Appendices 3 and 4 and the statement of justification provided by the applicant is in Appendix 5.

LOCATION AND CHARACTER

The subject property is triangular shaped and located at the intersection of Lorton Road and Richmond Highway. The site is currently undeveloped and is wooded with a stand of primarily young trees, mostly red maple. There is little topographic relief in the southern portion of the site; however, the elevation increases steadily at the northern end of the property. The southwest corner of the site contains a stream channel which is a tributary of Pohick creek and associated with a minor floodplain.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Multi-family Residential (The Woods of Fairfax)	R-20	Residential; 5-8 du/acre
South	Multi-family Residential (Woodside); Vacant	R-20; C-8	Residential; 5-8 du/acre; Alternative Uses
West	Retirement Housing (Gunston Manor); Shopping Center (Gunston Plaza)	C-4; C-6	Retail and other; Retail and other

BACKGROUND

On April 25, 1994, the Board of Supervisors approved RZ 93-V-028 to rezone the subject site from the R-1 and C-5 Districts to the C-5 District, subject to proffers dated April 8, 1994. The proffered Generalized Development Plan (GDP) depicted a shopping center with a 0.186 FAR.

On March 24, 1997, the Board of Supervisors approved PCA 93-V-028, to allow development of a retail center with a maximum FAR of 0.186 with the option for one, two, or three buildings with up to 39,350 SF of GFA, subject to the proffers dated January 24, 1997.

This site was the subject of Plan Amendment S06-IV-LP1, adopted on December 6, 2006, which added an option for the site to permit a drive-in financial institution and a drive-thru pharmacy with up to a .15 FAR if certain conditions are met (these conditions are provided in the Land Use analysis section).

On May 21, 2007, the Board of Supervisors authorized the inclusion of a portion of Lorton Road right-of-way in the subject PCA application. All of this right-of-way was included in RZ 93-V-028 and PCA 93-V-028; however, a portion of this right-of-way (0.1334 sq. ft.) is not included in the proposed SE application.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	IV
Planning District:	Lower Potomac Planning District
Planning Sector:	Lorton – South Route 1 (LP2)
Plan Map:	Retail and other

On page 56 of the Fairfax County Comprehensive Plan, 2007 Edition Area IV, Lower Potomac Planning District (LP2-Lorton-South Route 1 Community Planning Sector) as amended through December 4, 2006, it states:

Sub-unit E4

This sub-unit (Tax Map 108-3((1))2 and 3 ((2))2, 5 and 6) is planned for retail and related uses up to .25 FAR, as long as all the parcels in the sub-unit are consolidated. Absent full consolidation no development should exceed .15 FAR. Any development on the site should recognize site and access constraints. Auto-oriented uses are not appropriate, except as specified under the option below for drive-through uses. Efficient circulation should be provided and curb cuts should be minimized. Buffering and screening of adjacent residential development should be provided. Dedication for the widening of Route 1 and Lorton Road should be provided with primary access to the site from Lorton Road. Secondary access may be provided from Route 1, but must be restricted to right turns in and out. Internal vehicular circulation and locations of entrances and median breaks should be arranged to minimize conflicts with traffic on the adjacent arterial roadways. As an option, Parcels 108-3((1)) 2, 3, 108-3((2)) 2, 5, 6 may be considered for public park.

As an option, a drive-in financial institution and a drive-through pharmacy up to .15 FAR may be appropriate provided the following conditions are met:

- All parcels in the sub-unit are consolidated.*
- Development should include no more than two separate buildings.*
- Every effort should be made to orient buildings toward Richmond Highway and to avoid locating parking in front of buildings in order to create an attractive streetscape along Richmond Highway and to improve/enhance the visual image of this portion of Richmond Highway.*
- Development includes appropriate landscaping to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District.*
- Development includes landscaping in the right-of-way along Lorton Road where it intersects with Richmond Highway, if permission is granted by VDOT.*
- All recommendations on transportation and buffering and screening for Sub-unit E4 are satisfied.*

ANALYSIS**Generalized Development Plan/Special Exception Amendment Plat**
(Reduction at front of staff report)**Title of GDP/SE Plat:** Lorton Corner**Prepared By:** Huntley, Nyce and Associates, Ltd.**Original and Revision Dates:** January 29, 2007 as revised through
September 9, 2008

GDP/SE Plat	
Sheet #	Description of Sheet
1 of 12	Cover Sheet including Vicinity Map, Sheet Index, Applicant and Attorney Contact Information
2 of 12	Proposed Site Layout
3 of 12	Notes, Site Tabulations, Soils Map and Bulk Plane Exhibit
4 of 12	Landscape Plan
5 of 12	Existing Vegetation Map
6 of 12	Stormwater Management/Best Management Practices and Drainage Outfall Data
7 of 12	Elevation Views – Drive-through Pharmacy
8 of 12	Previously Approved PCA (PCA 93-V-028)
9 of 12	Existing Topographical Survey
10 of 12	Details and Grading for Stormwater Management/B.M.P. Facility
11 of 12	Drainage Divides Exhibit
12 of 12	Outfall Analysis of Existing Channel Below Route 1

Site Layout: The application proposes two freestanding commercial buildings on the subject site. A 3,848 square foot (SF) drive-in financial institution with three drive-through lanes is proposed. In addition, a 14,940 SF drive-through pharmacy (10,940 SF retail space and 4,000 SF mezzanine space for merchandise storage) with one drive-through lane is proposed. These two buildings are proposed to be sited on the triangular-shaped parcel located at the northwestern quadrant of the intersection of Richmond Highway and Lorton Road. The proposed drive-in financial institution is located in the eastern portion of the subject property with the front of the building aligned with Richmond Highway. The entrance to the drive-through lanes is proposed to be located along the eastern side of the building with the three drive-through lanes located along the northern

(rear) side of the building. One loading space for the financial institution is shown on the west side of the building. To the west of the loading space, across a 24-foot wide travel lane and east of the three drive-through lanes are 11 parking spaces. A six-foot wide sidewalk is shown along the front of the drive-in financial institution and painted crosswalks are shown across the travel lanes to provide pedestrian connection to the drive-in financial institution.

The proposed drive-through pharmacy is to be located to the west of the drive-in financial institution. An 18-foot wide travel lane separates the parking associated with the drive-in financial institution from the drive-through lane for the pharmacy, which is located on the eastern side of that building. One loading space is shown on the northern side (rear) of the pharmacy building. A six-foot wide sidewalk is depicted along the western side of the pharmacy building and a 5.5-foot wide sidewalk is proposed along the southern side of the pharmacy building. The remaining parking for the site is located to the west of the pharmacy building, and the proposed stormwater management pond is depicted south of the drive-through pharmacy, between the building and the Richmond Highway frontage of the property.

Ingress/Egress: Access to the site is provided at three locations on the site. The first access point is provided along Richmond Highway at the eastern corner of the site. A second access point is provided along Lorton Road along the southwestern boundary of the site, and a third access point (ingress only) is provided at the western corner of the site. The GDP/SE Plat shows an existing ten-foot wide asphalt trail along the Richmond Highway frontage of the property and an existing five-foot wide sidewalk along the Lorton Road (western) boundary of the site, both of which are to remain with the development of the site.

Stormwater Management/Best Management Practices. The application depicts a dry pond at the southern corner of the site. The pond is proposed to be sized for the required volume for the site. Landscaping, consisting of various shrubs and maple trees, is shown to be provided around the limits of the pond.

Landscaping and Open Space. Open space is provided mainly along the periphery of the subject site and in the eastern and southern corners of the site, totaling 47% of the subject property. Landscaping proposed along the northern boundary of the site consists mainly of evergreen trees and shrubs. The landscaping proposed at the eastern corner of the site consists of a mix of shrubs, evergreen, and deciduous trees. Three-inch caliper deciduous are proposed along the Richmond Highway frontage. In addition, the proposed interior parking lot landscaping, which consists mainly of deciduous trees, meets the 5% requirement for the site.

Land Use Analysis (Appendix 8)

The subject property is proposed to be developed under the option provided in the Comprehensive Plan for a drive-in financial institution and a drive-through pharmacy up to 0.15 FAR if conditions are met regarding parcel consolidation, limitation on the number of buildings, orientation of the building, streetscape, landscaping, buffering and screening, and transportation. The applicant proposes a drive-in financial institution and drive-through pharmacy with a FAR of 0.12, which meets the basic Comprehensive Plan recommendation for land use and intensity. Below, staff describes how the proposal addresses the other conditions of the Comprehensive Plan:

- *All parcels in the sub-unit are consolidated.* The subject applications include all of the land included in the sub-unit in conformance with the Comprehensive Plan recommendation.
- *Development should include no more than two separate buildings.* The subject application proposes two free-standing buildings on the subject property in conformance with the Comprehensive Plan recommendation.
- *Every effort should be made to orient buildings toward Richmond Highway and to avoid locating parking in front of buildings in order to create an attractive streetscape along Richmond Highway and to improve/enhance the visual image of this portion of Richmond Highway.* Both buildings are fronting and oriented to Richmond Highway. The majority of the provided parking is proposed to the side and rear of the two proposed buildings on the site. Eleven parking spaces are located along the driveway in the eastern portion of the site. Landscaping is provided between the proposed parking areas and stormwater management pond, and the trail and sidewalk to create an edge between the development and the roadway, in harmony with the guidelines for the Pohick Church Overlay District.
- *Development includes appropriate landscaping to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District.* The applicant has worked with Department of Planning and Zoning (DPZ) staff to provide landscaping that is in harmony with the landscape guidelines for the Pohick Church Historic Overlay District. As discussed above, landscaping is provided between the proposed parking areas and stormwater management pond, and the ten-foot wide trail along Richmond Highway and five-foot wide sidewalk along Lorton road to create an edge between the development and the roadway, in harmony with the guidelines for the Pohick Church Overlay District. The proposed monument sign along Richmond Highway has been incorporated into the proposed landscaping in that area as also recommended by the Pohick Church Overlay District guidelines.

- *Development includes landscaping in the right-of-way along Lorton Road where it intersects with Richmond Highway, if permission is granted by VDOT. The application includes landscaping in the right-of-way along*

Lorton Road where it intersects with Richmond Highway in conformance with the Comprehensive Plan recommendation.

- *All recommendations on transportation and buffering and screening for Sub-unit E4 are satisfied.* Upon initial review of the applications, Fairfax County Department of Transportation (FCDOT) staff recommended that the applicant eliminate islands which were shown at the entrances to the site and coordinate with the Virginia Department of Transportation (VDOT) on the proposed access at the western corner of the site near the Woods of Fairfax entry drive. The applicant has revised the GDP/SE Plat accordingly and revised the access at the western corner of the site to be a one-way entrance only based on discussion with VDOT, satisfying all issues raised by FCDOT.

In response to comments raised by staff from the Urban Forest Management Division of the Department of Public Works (See UFMD Analysis below), the applicant has revised the GDP/SE Plat to reduce the number of trees proposed in the 12' wide transitional screening area facing the Woods of Fairfax. In addition, the Landscape/Plant Schedule has been revised and the interior parking lot landscaping tabulation has been provided, satisfying all issues raised by UFMD staff. therefore satisfying the Comprehensive Plan recommendation.

Issue: Pedestrian Circulation

Based on previously submitted plans for this application, staff recommended that the pedestrian connectivity be improved at the southwest boundary of the site to provide better access from Gunston Manor. Additionally, staff recommended that pedestrian connectivity be established between the proposed financial institution and the proposed pharmacy via painted crosswalks and sidewalks. It was also suggested that the proposed buildings be shifted closer together and parking between the buildings be relocated to the rear of the buildings, resulting in the consolidation of parking to the western portion of the site in order to improve pedestrian circulation and connectivity between the proposed uses on the site.

Resolution:

The applicant has revised the GDP/SE Plat to include painted striped crosswalks and sidewalk across islands within the parking areas and along the southern sides of the proposed buildings in order to establish connectivity into the site and between the drive-through pharmacy and the drive-in financial institution. Two five-foot wide sidewalks are proposed on parking islands located between the buildings. Additional improvements include a proposed sidewalk spanning the

full length of eleven parking spaces located at the eastern portion of the site adjacent to drive-in financial institution and proposed paint striped crosswalks across travel aisles. Therefore, this issue has been addressed.

Issue: Streetscape and Landscaping

Typically, development which includes drive-through elements requires additional signage, paved surfaces, and building elements such as canopies. In order to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District to the greatest extent possible, buffering and screening and landscaping of the proposed drive-through uses should be provided.

Resolution:

The applicant has worked with Department of Planning and Zoning (DPZ) staff to provide landscaping that is in harmony with the landscape guidelines for the Pohick Church Historic Overlay District. As previously discussed, landscaping is provided between the proposed parking areas and stormwater management pond, and the ten-foot wide trail along Richmond Highway and five-foot wide sidewalk along Lorton Road to create an edge between the development and the roadway. The proposed monument sign along Richmond Highway has been incorporated into the proposed landscaping in that area as also recommended by the Pohick Church Overlay District guidelines. In addition, landscaped buffering is provided at the easternmost corner of the site, which is the portion of the site closest to the Historic Overlay District. Given the topography and distance between the subject site and the Overlay District, the proposed buildings will not have an adverse impact to that District. Therefore, this issue has been resolved.

Issue: Signage

The applicant proffered that free-standing monument signs will be architecturally designed so as to be compatible with the architectural treatment of the buildings on-site. While elevations of the pharmacy are provided, those of the financial institution are not shown. Therefore, staff could not evaluate the architectural design of the signs in relation to the architectural treatment of both structures.

Resolution:

The applicant has now proffered that prior to the issuance of the building permit for the financial institution building, the architectural treatment for that building and the proposed building signage for the financial institution will be brought back to the Planning Commission for administrative review to confirm compatibility with the architectural treatments for the pharmacy depicted on the GDP/SE Plat. With the adoption of this proffer, this issue is resolved.

Environmental Analysis (Appendix 8)**Issue: Green Building Design**

The subject site is located in the Lorton South-Route 1 Community Planning Sector. Instead of the previously approved shopping center use, the applicant is requesting approval for a drive-in financial institution and drive-through pharmacy. The Policy Plan recommends that developments which are seeking changes in use and are located in specially designated areas, such as the Lorton South-Route 1 Community Planning Sector, attain basic Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council or other comparable program with third party certification at a minimum.

Resolution:

The applicant has proposed a proffer stating that the proposed development will incorporate green building practices and that in utilizing these green building practices, the applicant will cause the property and/or buildings to meet minimum LEED certification. With the adoption of that proffer, this issue will be resolved.

Stormwater Management (SWM)/ Best Management Practices (BMP) Analysis
(See Appendix 9)**Issue: Site Outfall**

Based on previously submitted plans for this application, Department of Public Works and Environmental Services (DPWES) staff commented that the landscape plan must be revised to remove all vegetation (except grass) from the fill embankment or within 10 feet of the toe of fill or abutment contact per the Public Facilities manual (PFM). Also, per the PFM, no trees are allowed within any of the County storm drainage easements, or within five feet of the easement, that contains the storm sewer pipe. The applicant has proffered that planting around the pond will be in accordance with the plan, subject to DPWES and UFMD approval. In order to avoid later confusion, staff believes that the landscape plan should be amended to reflect what can be approved per the PFM.

Resolution:

The applicant has revised the landscaping around the pond on the GDP/SE Plat to reflect what is permitted per the PFM, as recommended by DPWES staff. With the revisions to the GDP/SE Plat, staff believes that this issue has been addressed.

Urban Forest Management Analysis (Appendix 10)**Issue: Landscaping**

Urban Forest Management noted that the landscaping provided in the 12-foot (12') wide transitional screening yard facing the Woods of Fairfax is too crowded to ensure the proper growth and survival of the vegetation shown in that area. The applicant is requesting a two-thirds reduction of the transitional screening requirement in favor of a seven foot (7') masonry wall. In order to help ensure the proper growth and survival of the screening material the applicant should reduce the number of trees proposed to be installed in this area by a minimum of 50%.

Additionally, the Landscape/Plant Schedule should be revised to remove species no longer recommended by UFMD and to correct the coverage values as listed in the PFM.

Resolution:

The applicant has revised the GDP/SE Plat to reduce the number of trees proposed in the 12-foot wide transitional screening area facing the Woods of Fairfax. In addition, the Landscape/Plant Schedule has been revised to remove species no longer recommended by UFMD. Therefore, these issues have been resolved.

Transportation Analysis (See Appendix 11)

Upon initial review of the applications, Fairfax County Department of Transportation (FCDOT) staff recommended that the applicant eliminate islands which were shown at the entrances to the site in order to allow for efficient vehicle circulation, and the applicant coordinate with the Virginia Department of Transportation (VDOT) on the proposed access at the western corner of the site near the Woods of Fairfax entry drive. The applicant has revised the GDP/SE Plat accordingly and revised the access at the western corner of the site to be a one-way entrance only based on discussion with VDOT, satisfying all issues raised by FCDOT.

In addition, the application includes landscaping in the right-of-way along Lorton Road where it intersects with Richmond Highway. The access to the site along Richmond Highway is restricted to right turns in and out and the primary access to the site is provided from Lorton Road, and dedication for the widening of Richmond Highway and Lorton was provided with the previously approved applications for the site and the improvements have been completed.

ZONING ORDINANCE PROVISIONS (Appendix 12)

Bulk Standards

Bulk Standards (C-5 Zoning)		
Standard	Required	Provided
Lot Size	40,000 square feet	3.69 acres
Lot Width	200 feet	377 feet
Front Yard	Controlled by a 45° angle of bulk plane, but not less than 40 feet	42 feet
Side Yard	N/A	N/A
Rear Yard	20 feet	30.82 feet
Building Height	40 feet	33 feet
FAR	0.30	0.12
Open Space	20%	47%
Tree Cover	10%	12%
Parking Spaces	Drive-in financial institution – 15 spaces <u>Drive-through pharmacy – 89 spaces</u> Total – 104 spaces	Regular Spaces – 99 spaces <u>Handicap Spaces – 5 spaces</u> Total – 104 spaces
Loading Spaces	Drive-in financial institution – 1 space <u>Drive-through pharmacy – 1 space</u> Total – 2 spaces	Drive-in financial institution – 1 space <u>Drive-through pharmacy – 1 space</u> Total – 2 spaces
Stacking Spaces	Drive-in financial institution (3 drive-through lanes) – 10 spaces Drive-through pharmacy (1 drive-through lane) – 5 spaces Total – 15 stacking spaces	Drive-in financial institution (3 drive-through lanes) – 10 spaces Drive-through pharmacy (1 drive-through lane) – 5 spaces Total – 15 stacking spaces
Transitional Screening		
North	Transitional Screening 2 – 35 feet	12 feet (modification requested)
South	Transitional Screening 2 – 35 feet	0 feet (modification requested)
South	N/A	N/A
West	N/A	N/A
West	N/A	N/A

Bulk Standards (C-5 Zoning)		
Standard	Required	Provided
Barrier		
North	E, F, or G*	seven-foot high masonry wall (modification requested)
South	E, F, or G	None provided (waiver requested)
South	N/A	N/A
West	N/A	N/A
West	N/A	N/A

* Barrier E - Six foot wall, brick or architectural block faced on the side facing the existing use.
 Barrier F - Six foot high solid wood or otherwise architecturally solid fence.
 Barrier G - Six foot chain link fence

Waivers and Modifications

The applicant is requesting reaffirmation of the following previously approved waivers and modifications.

Modification of the transitional screening requirement and waiver of the barrier requirement along Richmond Highway:

The applicant requests the approval of a modification of the transitional screening requirement and waiver of the barrier requirement along Richmond Highway adjacent to the residentially zoned properties in favor of the landscaping shown on the GDP/SE Plat. Par. 3 of Sect. 13-304, of the Zoning Ordinance states that transitional screening may be modified where the building, a barrier and/or land between the building and the property line has been specifically designed to minimize adverse impacts through a combination of architectural and landscaping techniques. Staff believes that the landscaping provided between the proposed buildings and the property line and the proposed setbacks for the proposed buildings justify the proposed modification. Therefore, staff supports the requests for a modification of the transitional screening and waiver of the barrier requirement as shown on the GDP/SE Plat.

Modification of the transitional screening requirement along the north property line:

The applicant requests the approval of a modification of the transitional screening requirement along the north property line adjacent to multifamily residential development (The Woods of Fairfax) in favor of the 12-foot wide transitional screening yard and seven-foot high masonry wall shown on the GDP/SE Plat. Par.4 of Sect. 13-304 allows as much as two-thirds reduction in transitional screening where the developer chooses to construct a seven-foot high brick or architectural block wall instead of a lesser barrier. The GDP/SE Plat shows a seven-foot high masonry wall along the northern boundary of the site. Staff continues to support the requested modification.

Waiver of the service drive requirement along the north side of Richmond Highway:

The applicant has requested approval of a waiver of the service drive requirement along Richmond Highway which was previously granted. FCDOT supports the waiver which is consistent with the service drive waiver previously granted for the Gunston Plaza Shopping center located on the opposite side of Lorton Road.

Waiver of the Comprehensive Plan trail requirement along the north side of Richmond Highway in favor of the existing five-foot wide concrete sidewalk shown on the GDP/SE Plat:

The applicant also seeks the approval of a waiver of the Comprehensive Plan trail requirement for a 10 foot wide asphalt trail within a minimum of 14-foot trail easement or VDOT right-of-way along the west side of Richmond Highway in favor of the existing 10-foot wide asphalt trail shown on the GDP/SE Plat. The same waiver was approved with the original rezoning application and previously approved PCA for the subject site, and staff continues to support this waiver.

Special Exception Requirements (See Appendix 12)

- o General Special Exception Standards (Sect. 9-006)
- o Category 5 Standards (Sect. 9-503)
- o Additional Standards for automobile-oriented uses, car washes, drive in financial institutions, drive-through pharmacies, fast food restaurants, quick service food stores, service stations, and service stations/mini-marts (Sect. 9-505)

General Standards (Sect. 9-006)

Par. 1 requires that the proposed use be in harmony with the Comprehensive Plan. As previously discussed, the proposal meets the basic Comprehensive Plan recommendation for land use and intensity. The proposal also conforms to the Plan conditions regarding parcel consolidation and limitation on the number of buildings.

Par. 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The C-5 District is established to provide locations for convenience shopping facilities in which those retail commercial uses shall predominate that have a neighborhood-oriented market of approximately 5,000 persons, and which supply necessities that usually require frequent purchasing and with a minimum of consumer travel. Staff believes that the drive-in financial institution and drive-through pharmacy are in harmony with the purpose and intent of the C-5 District.

Par. 3 requires that the proposed use be harmonious with and not adversely affect the use or development of adjacent properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. The subject property is a triangular shaped property located at the intersection of Lorton Road and Richmond Highway. Adjacent properties to the west are zoned C-6 and C-4, adjacent properties to the north are zoned R-20, and the adjacent properties to the south are zoned R-20 and C-8. To buffer the proposed uses from the residential properties, landscaping is proposed along the periphery of the site. Landscaping proposed along the northern boundary of the site consists mainly of evergreen trees and shrubs. The landscaping proposed at the eastern corner of the site consists of a mix of shrubs, evergreen, and deciduous trees. Three-inch caliper deciduous are proposed along the Richmond Highway frontage. The application also proposes a seven-foot high masonry wall to screen the proposed uses from the residential development to the north. Staff believes that the landscaping provided between the proposed buildings and the property lines and the proposed setbacks for the proposed buildings will ensure that the proposed development will not have any adverse impacts on nearby properties. The applicant has worked with DPZ staff to provide landscaping that is in harmony with the landscape guidelines for the Pohick Church Historic Overlay District. Given the topography and distance between the subject site and the Historic Overlay District, the proposed buildings will not have an adverse impact to the Historic Overlay District, or adjacent properties.

Par. 4 states that pedestrian and vehicular traffic associated with the use not be hazardous or conflict with existing or anticipated traffic in the neighborhood. The

access to the site along Richmond Highway is restricted to right turns in and out and the primary access to the site is provided from Lorton Road. Dedication for the widening of Richmond Highway and Lorton was provided with the previously approved applications for the site and the improvements have been completed. As previously noted, all of the transportation related issues have been resolved; therefore, staff believes that this standard has been met.

Par. 5 addresses the requirements of Article 13, Landscaping, and Screening. The applicant requests the approval of a modification of the transitional screening requirement and waiver of the barrier requirement along Richmond Highway adjacent to the residentially zoned properties in favor of the landscaping shown on the GDP/SE Plat. Staff believes that the landscaping provided between the proposed buildings and the property line and the proposed setbacks for the proposed buildings justify the proposed modification. The applicant also requests the approval of a modification of the transitional screening requirement along the north property line adjacent to The Woods of Fairfax in favor of the 12-foot wide transitional screening yard and seven-foot high masonry wall shown on the GDP/SE Plat. The applicant has revised the planting in this area to help ensure the proper growth and survival of the screening material, as recommended by UFMD. Staff supports the requested waivers and modifications. The application proposes 12% tree cover on the site (10% required) and the application provided 5% interior parking lot landscaping, which meets the requirement for the C-5 District. Therefore, staff believes that this standard has been satisfied.

Par. 6 requires that open space be provided as required in the zoning district. Forty-seven percent (47%) of the site is proposed to be open space, which exceeds the 20% requirement. Therefore, staff concludes that this standard has been satisfied.

Par. 7 addresses the adequate provision of utilities, drainage, parking and loading at the site. Adequate utilities, drainage, and parking requirements have been met with this application. The minimum required parking spaces for the drive-in financial institution and a drive-through pharmacy use is 104 parking spaces and the subject application proposes 104 parking spaces. As previously stated, the applicant is providing the 10 required stacking spaces for the drive-in financial institution and the five required stacking spaces for the drive-through pharmacy. One loading space for the financial institution is shown on the west side of that building and one loading space shown on the northern side (rear) of the pharmacy building, which meets the Zoning Ordinance requirements.

Par. 8 states that all signs are regulated by the provisions of Article 12, Signs. Staff has proposed a development condition to ensure all signs on the site will be in accordance with Article 12 of the Zoning Ordinance; therefore this standard has been satisfied.

Category 5 Standards (Sect. 9-503)

Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located. The application meets the lot size and bulk requirements for the C-5 District.

All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14. Staff has proposed a development condition to ensure that all lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. Staff has proposed a development condition to ensure that this Special Exception will be subject to the provisions of Article 17.

Additional Standards for automobile-oriented uses, car washes, drive in financial institutions, drive-through pharmacies, fast food restaurants, quick service food stores, service stations, and service stations/mini-marts (Sect. 9-505)

Such use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant has proffered that the architectural treatment of the buildings on the site will be compatible with the architectural treatments shown the GDP/SE Plat. The architectural treatment of masonry on the walls on the rear and sides of each building are proposed to be the same as the architectural treatment on the front of each building. In addition, prior to the issuance of the building permit for the financial institution building, the architectural treatment for that building and the proposed building signage for that building will be brought back to the Planning Commission for administrative review to verify compatibility with the architectural treatments for the pharmacy shown on the GDP/SE Plat; therefore, this standard has been met.

Such use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. As previously discussed, the GDP/SE Plat shows an existing ten-foot wide asphalt trail along the Richmond Highway frontage of the property and an existing five-foot wide sidewalk along the Lorton Road (western) boundary of the site, both of which are to remain with the development of the site. The sidewalk and trail provide for pedestrian access between adjacent properties and the internal pedestrian connections on the site. Vehicular access is provided at three locations on the site. The first access point is provided along Richmond

Highway at the eastern corner of the site. A second access point is provided along Lorton Road along the southwestern boundary of the site, and a third access point (ingress only) is provided at the western corner of the site. The vehicular circulation proposed with this application is consistent with the circulation previously approved with RZ 93-V-028; therefore, this standard has been met.

The site shall be designed to minimize the potential for movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle pedestrian access to all uses on the site. As previously noted, the application meets the required parking, stacking, and loading space requirements. The entrance to the drive-through lanes for drive-in financial institution is proposed to be located along the eastern side of that building with the three drive-through lanes located along the northern (rear) side of the building. One loading space for the financial institution is shown on the west side of the building. The drive-through lane for the drive-through pharmacy is located on the eastern side of that building, with one loading space shown on the northern side (rear) of the pharmacy building. Eight-foot wide painted crosswalks are provided across entrances to the drive-through lanes to identify pedestrian connections to the buildings and associated parking. The access to the overall site was previously approved with RZ 93-V-028. The combined GDP/SE Plat shows clearly established pedestrian connections, consisting of eight-foot wide pedestrian crosswalks and a minimum of 5-foot wide sidewalks to be provided throughout the site; therefore this standard has been met.

In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors. The subject site meets the lot width requirements for the C-5 Zoning District. The proposed development is in conformance with the parking requirements for the proposed uses. Staff has proposed a development condition to ensure that all lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting is in conformance Zoning Ordinance standards. Furthermore, as previously discussed, landscaping is provided between the proposed parking areas and stormwater management pond, and the ten-foot wide trail along Richmond Highway and five-foot wide sidewalk along Lorton road to create an edge between the development and the roadway, in harmony with the guidelines for the Pohick Church Overlay District. The proposed monument sign along Richmond Highway has been incorporated into the proposed landscaping in that area as also recommended by the Pohick Church Overlay District guidelines. Landscaped buffering is provided at the easternmost corner of the site, which is the portion of the site closest

to the Historic Overlay District. Given the topography and distance between the subject site and the Overlay District, the proposed buildings will not have an adverse impact to that District. The proposed drive-in financial institution and drive-through pharmacy uses will not adversely affect any nearby existing or planned residential areas; therefore this standard has been met.

There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. Staff has proposed a development condition to ensure that there will be no outdoor storage or display of goods offered for sale; therefore, this standard has been met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As previously discussed, the proposal meets the basic Comprehensive Plan recommendation for land use and intensity. The proposal also conforms to the Plan conditions regarding parcel consolidation and limitation on the number of buildings, orientation of the building, streetscape, landscaping, buffering and screening, and transportation. The subject application is also in conformance with the applicable Zoning Ordinance standards.

Recommendations

Staff recommends approval of PCA 93-V-028-02 subject to the draft proffers contained in Appendix 1.

Staff recommends approval of SE 2007-MV-031 subject to the development conditions contained in Appendix 2.

Staff recommends approval of the modification of the transitional screening requirement and waiver of the barrier requirement along Richmond Highway adjacent to the residentially zoned properties in favor of the landscaping shown on the GDP/SE Plat.

Staff recommends approval of the modification of the transitional screening requirement along the north property line in favor of the 12-foot wide transitional screening yard and seven-foot high masonry wall as shown on the GDP/SE Plat.

Staff recommends approval of the waiver of the service drive requirement along the north side of Richmond Highway.

Staff recommends approval of the modification of the Comprehensive Plan trail requirement along the north side of Richmond Highway in favor of the existing five-foot wide concrete sidewalk as shown on the GDP/SE Plat.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Rezoning Affidavit (PCA 93-V-028-02)
4. Special Exception Affidavit (SE 2007-MV-031)
5. Applicant's Statement of Justification
6. Clerk to the Board's Letter and Proffers for RZ 93-V-028
7. Clerk to the Board's Letter and Proffers for PCA 93-V-028
8. Land Use and Environmental Analysis
9. Stormwater Management Analysis
10. Urban Forest management Analysis
11. Transportation Analysis
12. Selected Excerpts from the Zoning Ordinance
13. Glossary of Terms

PCA 93-V-028-2
Lorton Corner Road LLC
September 11, 2008

PROFFERS

Pursuant to Sect. 15.2-2303(A), Code of Virginia (1950, as amended) and Sect. 18-204 of the Zoning Ordinance of Fairfax County, the property owners/applicant and their successors and/or assigns (collectively referred to as the "Applicant") in this Proffered Condition Amendment ("PCA") proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map 108-3 ((1)) Parcels 2 and 3 and Tax Map 108-3 ((2)) Parcels 2, 5 and 6 and that portion of the right-of-way in Lorton Road (Route 968) depicted on the PCA/SE Plat described in Proffer No. 2 (below) (the "Property") shall be in accordance with the following conditions if, and only if, PCA 93-V-028-2 is granted. In the event that this PCA application is denied, these Proffers shall be immediately null and void and of no further force or effect. The proffered conditions are:

1. **Previous Proffers.** If PCA 93-V-028-2 is approved by the Board of Supervisors, these Proffers supersede the previous proffers in PCA 93-V-028.
2. **Generalized Development Plan.** Subject to the provisions of Sect. 18-204 of the Zoning Ordinance of Fairfax County, development of the Property shall be in substantial conformance with the Proffered Condition Amendment/Special Exception Plat ("PCA/SE Plat") entitled "Lorton Corner," consisting of twelve (12) sheets and prepared by Huntley, Nyce and Associates, Ltd., revised as of September 9, 2008.
3. **Minor Modifications.** Pursuant to Sect. 18-204 of the Zoning Ordinance, minor modifications to the PCA/SE Plat may be permitted where it is determined by the Zoning Administrator that such are in substantial conformance with the proffered PCA/SE Plat.
4. **Abandonment.** The Applicant shall file a Proffered Condition Amendment to revise the PCA/SE Plat if any portions of the right-of-way proposed for abandonment are disapproved by the Board of Supervisors, and this disapproval requires modifications to the PCA/SE Plat which are beyond the scope of the minor modifications permitted by Zoning Administrator determination under Sect. 18-204 of the Zoning Ordinance.
5. **Architecture.** The architectural treatment of the buildings on the Property shall be compatible with the architectural treatments depicted on Sheet 7 of 8 of the PCA/SE Plat. The architectural treatment of masonry on the walls on the rear and sides of each building shall be the same as the architectural treatment on the front of each building. Prior to the issuance of the building permit for the Financial Institution ("Bank") building, the architectural treatment for that building and the

proposed building signage for the Bank shall be brought back to the Planning Commission for administrative review to confirm compatibility with the architectural treatments for the Pharmacy depicted on Sheet 7 of 8 of the PCA/SE plat.

6. **Architectural Screening.** Architectural screening techniques will be utilized to screen air conditioning units and other rooftop mechanical equipment. All mechanical rooftop units will be screened, either by extension of the parapet walls or by an independent panel screen system.
7. **Dumpsters.** Dumpsters will be screened from view with masonry walls and landscaping subject to the approval of the Department of Public Works and Environmental Services ("DPWES").
8. **Lighting.** Parking lot lighting shall comply with the glare standards set forth in Article 14 of the Zoning Ordinance.
9. **Signage.** All signs shall conform with the requirements of Article 12 of the Zoning Ordinance. No more than two (2) free-standing monument signs shall be established on-site. These free-standing monument signs shall be architecturally designed so as to be compatible with the architectural treatment of the buildings on-site. These free standing monument signs shall be located generally as shown on the PCA/SE Plat. Each monument sign shall not exceed ten (10) feet in height. These signs shall use external directional sources of illumination, designed so as not to spill excessive illumination beyond each sign area.
10. **Landscaping.** The location and species of the tree plantings shall be subject to approval by the Urban Forestry Management Division ("UFMD") and shall be in substantial conformance with the Landscape Plan, Sheet 4 of 8 of the PCA/SE Plat. At the time of landscape plan review, the Applicant shall consult with UFMD to ensure that the intensity of tree plantings is not so great as to adversely affect the survival of these trees.
11. **Stormwater Management Pond Landscaping.** In order to restore a natural appearance to the proposed stormwater management pond, the landscape plan submitted as part of the first submission and all subsequent submissions of the site plan shall show the restrictive planting easement for the pond and the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond outside of that restrictive planting easement, in keeping with the planting policies of the Fairfax County Board of Supervisors. The final design of the landscaping for the pond shall be subject to the review and approval of UFMD. The Applicant shall install said landscaping in accordance with said plan, subject to Department of Public Works and Environmental Services (DPWES) and UFMD approval. The bottom of the pond area shall be maintained as a lawn, except for any structures required by DPWES. The Applicant shall provide regular mowing and seeding maintenance for this lawn area.

12. **Archaeological Survey.** Prior to any land disturbing activities, the Applicant shall conduct a Phase I archaeological survey of the site to identify potential historic resources on-site. Within 30 days of completion of said survey, the Applicant shall submit said survey to the Cultural Resource Management and Protection Section of the Fairfax County Park Authority ("CRMPS") for review and approval. The Applicant shall also conduct Phase II or Phase III surveys if determined necessary by CRMPS.

13. **Green Building Practices.** The Applicant shall incorporate green building practices on the Property and/or in the buildings. The green building practices employed shall be at the sole discretion of Applicant. Utilizing these green building practices, Applicant shall cause the Property and/or buildings to meet minimum LEED certification. The applicant shall retain a professional engineer or architect licensed to practice in the Commonwealth of Virginia who will provide certification statements both at the time of site plan and building plan reviews confirming that the items on the list will meet at least the minimum number of points necessary to attain LEED certification of the project.

Prior to approval of a building permit for each building by Fairfax County, the Applicant shall execute a separate agreement and post, for that building a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES, as defined in the Public Facilities Manual, in the fixed amount of \$60,000 for the bank building and in the fixed amount of \$125,000 for the pharmacy building. This escrow will be in addition to and separate from other bond requirements and shall be released by DPWES upon demonstration of attainment of certification, by the U.S. Green Building Council, under the U.S. Green Building Council's LEED - New Construction rating system or other LEED rating system determined to be applicable to the project. Said certification may include points for site and/or site design elements, in addition to building elements, if determined applicable in the certification obtained from the U.S. Green Building Council. The provision of documentation to the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) from the U.S. Green Building Council that the applicable building has attained LEED certification shall be sufficient to satisfy ~~this commitment~~. If the Applicant fails to provide documentation to the

14. **Density Credit.** Advanced density credit shall be reserved as may be permitted by the provisions of paragraph 4 of Section 2-308 of the Fairfax County Zoning Ordinance for any eligible dedications or as may be reasonably required by Fairfax County or VDOT at time of site plan approval.
15. **Geotechnical Study.** Prior to site plan approval, if required by DPWES and in accordance with the provisions of the Public Facilities Manual, the Applicant shall submit a geotechnical study of the application property to the Geotechnical Review Board and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES into the design to alleviate potential structural problems, to the satisfaction of DPWES.
16. **Ashton Woods Lane Entrance.** The Ashton Woods Lane Entrance shall be limited to one-way, inbound traffic as depicted on the PCA/SE plat.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

**APPLICANT/OWNER OF TAX MAP 108-3 ((1))
PARCELS 2 AND 3 AND TAX MAP 108-3 ((2))
PARCELS 2, 5 AND 6**

LORTON CORNER ROAD LLC

By: David Smith

Its: Manager

PROPOSED DEVELOPMENT CONDITIONS

SE 2007-MV-031

September 18, 2008

If it is the intent of the Board of Supervisors to approve SE 2007-MV-031 located at Tax Map 108-3((1)) 2 and 3, and Tax Map 108-3((2)) 2, 5 and 6, for the establishment of a drive-in financial institution and drive-through pharmacy in accordance with Sect. 4-504 of the Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land associated with this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat (SE Plat) associated with this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the Special Exception Plat entitled "Lorton Corner", prepared by Huntley, Nyce & Associates, Ltd., dated January 29, 2007 as revised through September 9, 2008, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Part 4 of Section 9-004 of the Zoning Ordinance.
5. A maximum of one (1) drive-through lane shall be allowed to serve the pharmacy use. The drive-through shall be used only for the drop-off of prescriptions and pick-up of pharmaceuticals. No general retail sales shall be permitted from the drive-through. A sign to this effect shall be posted prominently in the vicinity of the drive-through window.
6. A maximum of three (3) drive through lanes shall be allowed to serve the drive-in financial institution use. The hours of operation of the drive through lanes, excluding the ATM lane, shall be limited to Monday through Friday from 9:00 AM to 7:00 PM, Saturday from 9:00 AM to 4:00 PM, and Sunday from 11:00 AM to 3:00 PM.

The maximum number of employees for the financial institution shall be twelve (12) at any one time.

7. Stormwater Management and Best Management Practices Facilities in accordance with the Public Facilities Manual (PFM) shall be provided in substantial conformance with the PCA/SE Plat, unless waived by DPWES. Adequate outfall shall be provided for the site in substantial conformance with the PCA/SE Plat and the PFM.
8. There shall be no outdoor storage or display of goods offered for sale on-site.
9. All signage shall be in conformance with Article 12 of the Zoning Ordinance
10. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
11. Prior to site plan approval, a license agreement shall be entered into by the applicant with the County to permit landscaping to be provided and maintained by the applicant in the right of way along Lorton Road and Richmond Highway as shown on the GDP/SE Plat.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exceptions shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction of either the Drive-in Financial Institution or Drive-through Pharmacy has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

REZONING AFFIDAVIT

DATE: September 9, 2008
 (enter date affidavit is notarized)

I, Robert A. Lawrence, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 9784e

in Application No.(s): PCA 93-V-028-02
 (enter County-assigned application number(s), e.g. RZ 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 must 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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
LORTON CORNER ROAD, LLC David C. Smith - Agent Thomas J. Sippel - Attorney in Fact for David C. Smith, as Agent	4919 Bethesda Avenue, Suite 200 Bethesda, Maryland 20814	Applicant/Owner of Tax Map 108-3 ((1)) Parcels 2 and 3; Tax Map 108-3 ((2)) Parcels 2, 5 and 6
HUNTLEY, NYCE & ASSOCIATES, LTD. Robert L. Sproles - Agent Reza Hakimi - Agent	14428 Albemarle Point Place, Suite 120 Chantilly, Virginia 20151	Engineers/Agents
M.J. WELLS & ASSOCIATES, L.L.C. Robin L. Antonucci - Agent Kevin R. Fellin -Agent	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Traffic Consultant/Agent
VELAZQUEZ/TONY ARCHITECTS Tony Velazquez - Agent	1422 Foxhall Road, NW Washington, DC 20007	Architect/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning 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).

Rezoning Attachment to Par. 1(a)

DATE: September 9, 2008
(enter date affidavit is notarized)

9784e

for Application No. (s): PCA 93-V-028-02
(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.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
REED SMITH LLP Agents: Robert A. Lawrence Grayson P. Hanes J. Howard Middleton, Jr. Linda S. Broyhill Benjamin F. Tompkins	3110 Fairview Park Drive, Suite 1400 Falls Church, Virginia 22042	Attorneys/Agents

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(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, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

LORTON CORNER ROAD, LLC
4919 Bethesda Avenue, Suite 200
Bethesda, Maryland 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 SHAREHOLDERS: (enter first name, middle initial, and last name)

David C. Smith	Lauren A. Cohn	Charles M. Matincheck
DS&MS Family Limited Partnership(1)	Mychael D. Cohn	
David I. Cohn	R & C Asset Holding, LLC(2)	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer**, etc.)

David C. Smith, Member and Sole Manager
Thomas J. Sippel as attorney in fact for David C. Smith

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

97844e

DATE: September 9, 2008
(enter date affidavit is notarized)
PCA 93-V-028-02
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
VELAZQUEZ/TONY ARCHITECTS
1422 Foxhall Road, NW
Washington, DC 20007

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 SHAREHOLDER: (enter first name, middle initial, and last name)

Tony Velazquez, sole owner

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
R & C Asset Holding, LLC
20849 Waterbeach Place
Potomac Falls, Virginia 20165

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)

Richard B. Porter
Carol G. Porter

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
R & C Asset Holding, LLC
20849 Waterbeach Place
Potomac Falls, Virginia 20165

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Richard B. Porter, member/manager
Carol G. Porter, member/manager

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. WELLS & ASSOCIATES, L.L.C.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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 SHAREHOLDER: (enter first name, middle initial, and last name)
M.J. WELLS & ASSOCIATES, INC. 4

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
4 M.J. WELLS & ASSOCIATES, INC.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)
Employee Stock Ownership Trust (ESOT). All employees are eligible plan participants; however, none own more than 1% of any class stock.

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
HUNTLEY, NYCE AND ASSOCIATES, LTD.
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

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 SHAREHOLDER: (enter first name, middle initial, and last name)
HUNTLEY, NYCE COMPANY 3 Sole Owner
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 HUNTLEY, NYCE COMPANY
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

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)
Charles J. Huntley
Robert L. Sproles
HUNTLEY, NYCE AND ASSOCIATES Employee Stock Ownership Plan (no one person in the Employee Stock Ownership Plan owns 10%)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(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, number, street, city, state and zip code)

① DS&MS Family Limited Partnership
4919 Bethesda Avenue, Suite 200
Bethesda, Maryland 20814

(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)

David C. Smith, General Partner
Austin C. Smith, Limited Partner
Carter D. Smith, Limited Partner

(check if applicable) [✓] There is more partnership information and Par. 1(c) is continued on a "Rezoning 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.*

Rezoning Attachment to Par. 1(c)

DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Abbott, Kevin C.
Allen, Thomas L.
Andrews, Alexander T.
Arkebauer, J. Todd
Arnold, Roy W.
Baker, Scott D.
Ballantine, Frank D.
Banzhaf, Michael A.
Barber, William J. G.
Barnes, James J.
Bartfeld, Arnold L.
Beale, Giles
Begley, Sara A.
Bernier, Maria N.
Bernstein, Leonard A.
Bevan III, William
Bhattacharyya, Gautam
Bickham, J. David
Binis, Barbara R.
Birt, Steven J.
Blasier, Peter C.
Blitch, Stephen G.
Bobo, Stephen T.
Boehner, Russell J.
Bolden, A. Scott
Bonessa, Dennis R.
Booker, Daniel I.
Borrowdale, Peter
Boutcher, David J.
Boven, Douglas G.
Bovich, John P.
Bradley, Patrick E.
Brand, Mark A.
Bresch, Jeffrey J.
Brown, Andrew K.
Brown, Charles A.
Brown, Michael K.
Buckley, Mike C.
Burroughs Jr., Benton

Cameron, Douglas E.
Caplan, Gary S.
Carder, Elizabeth B.
Cardozo, Raymond A.
Charot, Benoit
Cheung, Bo Chun J.
Christman, Bruce L.
Clark II, Peter S.
Cobetto, Jack B.
Colen, Frederick H.
Colman, Abraham J.
Connoley, Mark F.
Connors, Eugene K.
Convery III, J. F.
Cooper, Steven I.
Cotler, Alan K.
Davies, Colleen T.
Davis, James M.
Dellenbach, Robert B.
Demase, Lawrence A.
DeNinno, David L.
Dermoddy, Debra H.
DiFiore, Gerard S.
Dilling, Robert M.
DiNome, John A.
Dittoe, John E.
Dolin, Stewart
Doran, William E.
Drew, Jeffery R.
Dubelier, Eric A.
Dumville, Samuel W.
Duronio, Carolyn D.
East, Lindsay T.
Edwards, Stephen S.
Eggert, Russell R.
Ellison, John N.
Epstein, Bette B.
Eskilson, James
Evagora, Kyriacos

Evans, David C.
Fagelson, Ian B.
Fagelson, Karen C.
Flatley, Lawrence E.
Floyd, Michele
Fogel, Paul D.
Foster, Timothy G.
Fox, Thomas C.
Francis Jr., Ronald L.
Frank, Ronald W.
Freeman, Lynne P.
Frenier, Diane M.
Fritton, Karl A.
Gallagher Jr., Daniel P.
Gallatin Jr., James P.
Gasparetti, Lorenzo E.
Gentile Jr., Pasquale D.
Gilbert, Jeffrey T.
Glatzer, Jeffrey L.
Green, Terry
Greenblatt, Lewis B.
Greeson, Thomas W.
Grignon, Margaret A.
Grimes, David M.
Gross, Dodi W.
Guadagnino, Frank T.
Gwynne, Kurt F.
Hackett, Mary J.
Halbreich, David M.
Hardy, Peter
Hargreaves, Philip M.
Harris, Judith L.
Hartley, Simon P.
Hartman, Ronald G.
Harvey, Richard H. J. P.
Hawley, Terence N.
Healy, Christopher W.
Heffler, Curt L.
Hemming, Seth M.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Hewetson, Charles M.
Hibbert, Thomas
Hill, Christopher A.
Hill, Robert J.
Hirsch, Austin L.
Hitt, Leo N.
Ho, Delpha
Hofstetter, Jonathan M.
Holmes, Katherine M.
Honigberg, Carol C.
Hooper, John P.
Howse, Christopher G.
Hultquist, James T.
Iino, John M.
Innamorato, Don A.
Jared, Cynthia
Jaskot, Paul J.
Jeffcott, Robin B.
Jenkinson, Andrew P.
Johnston, Paul F.
Jong, Denise
Jordan, Gregory B.
Kabnick, Lisa D.
Karides, Constantine
King, Robert A.
Kirkpatrick, Stephen A.
Kleier, James
Klein, Murray J.
Kohn, Steven M.
Kozlov, Herbert F.
Kramer, Ann
Krebs-Markrich, Julia
Kugler, Stefan
Kwong, Fung L. N.
Kwuon, Janet H.
Lacy Jr., Dennis P.
Lai, Ivy
Lasher, Lori L.
LeDonne, EugeneLeech, Frederick C.
Leiderman, Harvey L.
Lewis Jr., Richard P.
Loepere, Carol C.
LoVallo, Michael A.
Lowenstein, Michael E.
Luchini, Joseph S.
Lyons III, Stephen M.
Magera, George F.
Mahone, Glenn R.
Mann, Sharon J.
Mantell, Nanette W.
Marger, Joseph M.
Martin, James C.
Martini, John D.
McAllister, David J.
McCarroll, James C.
McDavid, George E.
McGarrigle, Thomas J.
McGough Jr., W. Thomas
McGuan, Kathleen H.
McKenna, James F.
McNichol Jr., William J.
Mehfoud, Kathleen S.
Melodia, Mark S.
Metro, Joseph W.
Meyers, Michael A.
Miller, Edward S.
Miller, Steven A.
Moberg, Marilyn A.
Montague-Jones, Roy R.
Morris, Robert K.
Morrison, Alexander D.
Munsch, Martha H.
Myers, Donald J.
Napolitano, Perry A.
Naugle, Louis A.
Neiman, Robert K.
Nelson, Jack R.Nicholas, Robert A.
Nicoll, Richard C.
Norman, David M.
O'Brien, Kathyleen A.
O'Neil, Mark T.
Paisley, Belinda L.
Parker, Roger J.
Patterson, Lorin E.
Pearman, Scott A.
Peck Jr., Daniel F.
Pedretti, Mark G.
Pepper, Michael R. D.
Perfido, Ruth S.
Peterson, Kurt C.
Phillipps, Richard P. S.
Phillips Jr., Robert D.
Pike, Jonathan R.
Pollack, Michael B.
Powell, David C.
Quinn, Jonathan S.
Radley, Lawrence J.
Rahl Jr., James A.
Raju, Ajay K.
Rambaud, Mathieu
Rawles, Douglas C.
Raymond, Peter D.
Reed, W. Franklin
Reid, Graham M.
Reinke, Donald C.
Rissetto, Christopher L.
Ritchey, Patrick W.
Roche, Brian D.
Rofe, Douglas J.
Rolfes, James A.
Rosales, Rex K.
Rosen, Barry S.
Rosenbaum, Joseph I.
Rosenberg, Carolyn H.
Roth, Robert A.(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Rubenstein, Donald P.
Rudolf, Joseph C.
Rymer, Philip R.
Sanders, Michael
Schaffer, Eric A.
Schaider, Joel R.
Schatz, Gordon B.
Schlecker, David M.
Schlesinger, Matthew J.
Schmarak, Bradley S.
Schumacher, Jeffrey A.
Scogin, Jr., Hugh T.
Scott, Michael T.
Seaman, Charles H.
Sedlack, Joseph M.
Seeder, Marshall
Shanus, Stuart A.
Sharma, Asha R.
Shaw, Nicholas J. A.
Short, Carolyn P.
Siev, Jordan
Sigelko, Duane F.
Silverschotz, Mark D.
Simons, Bernard P.
Simons, Robert P.
Singer, Paul M.
Skrein, Stephen P. M.
Smersfelt, Kenneth N.
Smith, Barry H.
Smith, John L.
Smith, Robert M.
Sollie, Kyle O.
Spafford, Richard A.
Spaulding, Douglas K.
Speed, Nicholas P.
Springer, Claudia Z.
Stanley, David E.
Stephenson, Leon
Stewart II, George L.Suddath, Thomas H.
Sussman, Allen Z.
Swinburn, Richard G.
Tabachnick, Gene A.
Tandler, James R.
Taylor, Andrew D.
Taylor, Philip M.
Teare, Peter A. D.
Terras, Alexander
Thallner Jr., Karl A.
Thomas, Alexander Y.
Thomas, William G.
Thompson, Barry J.
Thompson, David A.
Thompson, Gary S.
Tillman, Eugene
Tocci, Gary M.
Todd, Thomas
Tompkins, Benjamin F.
Trelise, Andrew J.
Unkovic, John C.
Vishneski III, John S.
Vitsas, John L.
Von Waldow, Arnd N.
Wallis, Eric G.
Warne, David G.
Wasserman, Mark W.
Weissman, David L.
Weissman, Sonja S.
Weller, Charles G.
Weyman, Mark L.
Wilkinson, James F.
Wilkinson, John
Williams, Christopher J.
Wilson, Stephanie
Winter, Graham P.
Witty, Huw R. M.
Wolff, Sarah R.
Wood, Douglas J.Wood, James M.
Wray, Richard K.
Yavitz, Judith A.
Yoo, Thomas J.
York, Stephen
Zaimes, John P.
Zhang, Jinshu
Zoeller, Lee A.
Zurzolo, Tracy LeighAdditional Partners:
Garcia, Sergio
• *Grellet, Luc
Illouz, Stephane
Scudellari, Richard
Shugrue, John D.Former Partners;
Altorelli, John J.
Barry, Kevin R.
Beirne, Nola M.
Bohan, David C.
Haggerty, James R.
Heard, David J.
Heidelberger, Louis M.
Hunt, Mark T.
Kiel, Gerald H.
Lewis, Lars
McCarthy, Michael P.
Miller, Robert J.
Picco, Steven J.
Rhatigan, Sean M.
Tovey, Morgan W.(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Former Equity Partners:
Alfandary, Peter R.
Bradford, Timothy B.
Brown, George
Fischer, Michael I.
Fisher, Stanley P.
Greenberger, James J.
Hall, Kevin A.
Hanes, Grayson P.
Hierons, Richard
Kearney, Kerry A.
Kolaski, Kenneth M.
Levine, Edward H.
London, Alan E.
Maxtone-Smith, Michael J.
Morgan, Adam R.
Munoz, Peter S.
Oppedahl, Mary C.
Restivo, Jr., James J.
Sabourin, Jr., John J.
Shapiro, Clifford J.
Siamas, John S.
Smith, III, John F.
Stoney, Jr., Carl J.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: September 9, 2008
(enter date affidavit is notarized)

97844e

for Application No. (s): PCA 93-V-028-02
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: September 9, 2008
(enter date affidavit is notarized)

9784e

for Application No. (s): PCA 93-V-028-02
(enter County-assigned application number(s))

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 or 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.)

William G. Thomas made a campaign contribution to Gerald E. Connolly in excess of \$100.
Reed Smith PAC made a campaign contribution to Gerald E. Connolly in excess of \$100.
Thomas W. Greeson made a donation to ActBlue Political Action Committee in excess of \$100 and directed that the donation be allocated as a campaign contribution to Gerald E. Connolly.
Carol C. Honigberg made a campaign contribution to John W. Foust in excess of \$100.

(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 "Rezoning 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:

(check one)

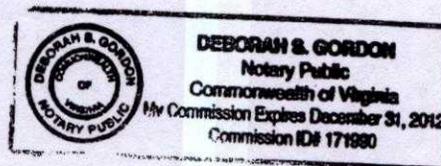
Robert A. Lawrence
[] Applicant [x] Applicant's Authorized Agent

Robert A. Lawrence
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 9th day of September 2008, in the State/Comm. of Virginia, County/City of Fairfax.

Deborah S. Gordon
Notary Public

My commission expires: December 31, 2012



SPECIAL EXCEPTION AFFIDAVIT

DATE: September 9, 2008
 (enter date affidavit is notarized)

I, Robert A. Lawrence, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

97845e

in Application No.(s): SE 2007-MV-031
 (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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
LORTON CORNER ROAD, LLC David C. Smith - Agent Thomas J. Sippel - Attorney in Fact for David C. Smith, as Agent	4919 Bethesda Avenue, Suite 200 Bethesda, Maryland 20814	Applicant/Owner of Tax Map 108-3 ((1)) Parcels 2 and 3; Tax Map 108-3 ((2)) Parcels 2, 5 and 6
HUNTLEY, NYCE & ASSOCIATES, LTD. Robert L. Sproles - Agent Reza Hakimi - Agent	14428 Albemarle Point Place, Suite 120 Chantilly, Virginia 20151	Engineers/Agents
M.J. WELLS & ASSOCIATES, L.L.C. Robin L. Antonucci - Agent Kevin R. Fellin - Agent	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Traffic Consultant/Agent
VELAZQUEZ/TONY ARCHITECTS Tony Velazquez - Agent	1422 Foxhall Road, NW Washington, DC 20007	Architect/Agent

(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: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): SE 2007-MV-031
(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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
REED SMITH LLP Agents: Robert A. Lawrence Grayson P. Hanes J. Howard Middleton, Jr. Linda S. Broyhill Benjamin F. Tompkins	3110 Fairview Park Drive, Suite 1400 Falls Church, Virginia 22042	Attorneys/Agents

(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: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): SE 2007-MV-031
(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)

LORTON CORNER ROAD, LLC
4919 Bethesda Avenue, Suite 200
Bethesda, Maryland 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 SHAREHOLDERS: (enter first name, middle initial and last name)

David C. Smith
DS&MS Family Limited Partnership 1
David I. Cohn
Lauren A. Cohn
Mychael D. Cohn
R & C Asset Holding, LLC 2
Charles M. Matincheck

(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: September 9, 2008
(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

VELAZQUEZ/TONY ARCHITECTS
1422 Foxhall Road, NW
Washington, DC 20007

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)

Tony Velazquez, sole owner

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

2 R & C Asset Holding, LLC
20849 Waterbeach Place
Potomac Falls, Virginia 20165

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 SHAREHOLDER S: (enter first name, middle initial, and last name)

Richard B. Porter, member/manager
Carol G. Porter, member/manager

(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: September 9, 2008
(enter date affidavit is notarized)

97845 e

for Application No. (s): SE 2007-MV-031
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

HUNTLEY, NYCE AND ASSOCIATES, LTD.
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

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)

HUNTLEY, NYCE COMPANY 3
Sole Owner
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

3 HUNTLEY, NYCE COMPANY
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20151

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)

Charles J. Huntley	HUNTLEY, NYCE AND ASSOCIATES
Robert L. Sproles	Employee Stock Ownership Plan (no one person in the Employee Stock Ownership Plan owns 10%)

(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: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): SE 2007-MV-031
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. WELLS & ASSOCIATES, L.L.C.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)

M.J. WELLS & ASSOCIATES, INC. 4

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

4 M.J. WELLS & ASSOCIATES, INC.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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 SHAREHOLDER S: (enter first name, middle initial, and last name) .

Employee Stock Ownership Trust (ESOT).
All employees are eligible plan participants;
however, none own more than 1% of any
class stock.

(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: September 9, 2008
(enter date affidavit is notarized)

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for Application No. (s): SE 2007-MV-031
(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)

1 DS&MS Family Limited Partnership
4919 Bethesda Avenue, Suite 200
Bethesda, Maryland 20814

(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)

David C. Smith, General Partner
Austin C. Smith, Limited Partner
Carter D. Smith, 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 Attachment to Par. 1(c)

DATE: September 9, 2008

(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031

(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

(check if applicable) The above-listed partnership has no limited partners**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Abbott, Kevin C.
Allen, Thomas L.
Andrews, Alexander T.
Arkebauer, J. Todd
Arnold, Roy W.
Baker, Scott D.
Ballantine, Frank D.
Banzhaf, Michael A.
Barber, William J. G.
Barnes, James J.
Bartfeld, Arnold L.
Beale, Giles
Begley, Sara A.
Bernier, Maria N.
Bernstein, Leonard A.
Bevan III, William
Bhattacharyya, Gautam
Bickham, J. David
Binis, Barbara R.
Birt, Steven J.
Blasier, Peter C.
Blitch, Stephen G.
Bobo, Stephen T.
Boehner, Russell J.
Bolden, A. Scott
Bonessa, Dennis R.
Booker, Daniel I.
Borrowdale, Peter
Boutcher, David J.
Boven, Douglas G.
Bovich, John P.
Bradley, Patrick E.
Brand, Mark A.
Bresch, Jeffrey J.
Brown, Andrew K.
Brown, Charles A.
Brown, Michael K.
Buckley, Mike C.
Burroughs Jr., Benton

Cameron, Douglas E.
Caplan, Gary S.
Carder, Elizabeth B.
Cardozo, Raymond A.
Charot, Benoit
Cheung, Bo Chun J.
Christman, Bruce L.
Clark II, Peter S.
Cobetto, Jack B.
Colen, Frederick H.
Colman, Abraham J.
Connoley, Mark F.
Connors, Eugene K.
Convery III, J. F.
Cooper, Steven I.
Cotler, Alan K.
Davies, Colleen T.
Davis, James M.
Dellenbach, Robert B.
Demase, Lawrence A.
DeNinno, David L.
Dermody, Debra H.
DiFiore, Gerard S.
Dilling, Robert M.
DiNome, John A.
Dittoe, John E.
Dolin, Stewart
Doran, William E.
Drew, Jeffery R.
Dubelier, Eric A.
Dumville, Samuel M.
Duronio, Carolyn D.
East, Lindsay T.
Edwards, Stephen S.
Eggert, Russell R.
Ellison, John N.
Epstein, Bette B.
Eskilson, James
Evagora, Kyriacos

Evans, David C.
Fagelson, Ian B.
Fagelson, Karen C.
Flatley, Lawrence E.
Floyd, Michele
Fogel, Paul D.
Foster, Timothy G.
Fox, Thomas C.
Francis Jr., Ronald L.
Frank, Ronald W.
Freeman, Lynne P.
Frenier, Diane M.
Fritton, Karl A.
Gallagher Jr., Daniel P.
Gallatin Jr., James P.
Gasparetti, Lorenzo E.
Gentile Jr., Pasquale D.
Gilbert, Jeffrey T.
Glatzer, Jeffrey L.
Green, Terry
Greenblatt, Lewis B.
Greeson, Thomas W.
Grignon, Margaret A.
Grimes, David M.
Gross, Dodi W.
Guadagnino, Frank T.
Gwynne, Kurt F.
Hackett, Mary J.
Halbreich, David M.
Hardy, Peter
Hargreaves, Philip M.
Harris, Judith L.
Hartley, Simon P.
Hartman, Ronald G.
Harvey, Richard H. J. P.
Hawley, Terence N.
Healy, Christopher W.
Heffler, Curt L.
Hemming, Seth M.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: September 9, 2008

(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031

(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Hewetson, Charles M.
Hibbert, Thomas
Hill, Christopher A.
Hill, Robert J.
Hirsch, Austin L.
Hitt, Leo N.
Ho, Delpha
Hofstetter, Jonathan M.
Holmes, Katherine M.
Honigberg, Carol C.
Hooper, John P.
Howse, Christopher G.
Hultquist, James T.
Iino, John M.
Innamorato, Don A.
Jared, Cynthia
Jaskot, Paul J.
Jeffcott, Robin B.
Jenkinson, Andrew P.
Johnston, Paul F.
Jong, Denise
Jordan, Gregory B.
Kabnick, Lisa D.
Karides, Constantine
King, Robert A.
Kirkpatrick, Stephen A.
Kleier, James
Klein, Murray J.
Kohn, Steven M.
Kozlov, Herbert F.
Kramer, Ann
Krebs-Markrich, Julia
Kugler, Stefan
Kwong, Fung L. N.
Kwuon, Janet H.
Lacy Jr., Dennis P.
Lai, Ivy
Lasher, Lori L.
LeDonne, Eugene

Leech, Frederick C.
Leiderman, Harvey L.
Lewis Jr., Richard P.
Loepere, Carol C.
LoVallo, Michael A.
Lowenstein, Michael E.
Luchini, Joseph S.
Lyons III, Stephen M.
Magera, George F.
Mahone, Glenn R.
Mann, Sharon J.
Mantell, Nanette W.
Marger, Joseph M.
Martin, James C.
Martini, John D.
McAllister, David J.
McCarroll, James C.
McDavid, George E.
McGarrigle, Thomas J.
McGough Jr., W. Thomas
McGuan, Kathleen H.
McKenna, James F.
McNichol Jr., William J.
Mehfoud, Kathleen S.
Melodia, Mark S.
Metro, Joseph W.
Meyers, Michael A.
Miller, Edward S.
Miller, Steven A.
Moberg, Marilyn A.
Montague-Jones, Roy R.
Morris, Robert K.
Morrison, Alexander D.
Munsch, Martha H.
Myers, Donald J.
Napolitano, Perry A.
Naugle, Louis A.
Neiman, Robert K.
Nelson, Jack R.

Nicholas, Robert A.
Nicoll, Richard C.
Norman, David M.
O'Brien, Kathyleen A.
O'Neil, Mark T.
Paisley, Belinda L.
Parker, Roger J.
Patterson, Lorin E.
Pearman, Scott A.
Peck Jr., Daniel F.
Pedretti, Mark G.
Pepper, Michael R. D.
Perfido, Ruth S.
Peterson, Kurt C.
Phillipps, Richard P. S.
Phillips Jr., Robert D.
Pike, Jonathan R.
Pollack, Michael B.
Powell, David C.
Quinn, Jonathan S.
Radley, Lawrence J.
Rahl Jr., James A.
Raju, Ajay K.
Rambaud, Mathieu
Rawles, Douglas C.
Raymond, Peter D.
Reed, W. Franklin
Reid, Graham M.
Reinke, Donald C.
Rissetto, Christopher L.
Ritchey, Patrick W.
Roche, Brian D.
Rofe, Douglas J.
Rolfes, James A.
Rosales, Rex K.
Rosen, Barry S.
Rosenbaum, Joseph I.
Rosenberg, Carolyn H.
Roth, Robert A.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: September 9, 2008
(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042(check if applicable) The above-listed partnership has no limited partners.NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Rubenstein, Donald P.
Rudolf, Joseph C.
Rymer, Philip R.
Sanders, Michael
Schaffer, Eric A.
Schaider, Joel R.
Schatz, Gordon B.
Schlecker, David M.
Schlesinger, Matthew J.
Schmarak, Bradley S.
Schumacher, Jeffrey A.
Scogin, Jr., Hugh T.
Scott, Michael T.
Seaman, Charles H.
Sedlack, Joseph M.
Seeder, Marshall
Shanus, Stuart A.
Sharma, Asha R.
Shaw, Nicholas J. A.
Short, Carolyn P.
Siev, Jordan
Sigelko, Duane F.
Silverschotz, Mark D.
Simons, Bernard P.
Simons, Robert P.
Singer, Paul M.
Skrein, Stephen P. M.
Smersfelt, Kenneth N.
Smith, Barry H.
Smith, John L.
Smith, Robert M.
Sollie, Kyle O.
Spafford, Richard A.
Spaulding, Douglas K.
Speed, Nicholas P.
Springer, Claudia Z.
Stanley, David E.
Stephenson, Leon
Stewart II, George L.Suddath, Thomas H.
Sussman, Allen Z.
Swinburn, Richard G.
Tabachnick, Gene A.
Tandler, James R.
Taylor, Andrew D.
Taylor, Philip M.
Teare, Peter A. D.
Terras, Alexander
Thalner Jr., Karl A.
Thomas, Alexander Y.
Thomas, William G.
Thompson, Barry J.
Thompson, David A.
Thompson, Gary S.
Tillman, Eugene
Tocci, Gary M.
Todd, Thomas
Tompkins, Benjamin F.
Trevelise, Andrew J.
Unkovic, John C.
Vishneski III, John S.
Vitsas, John L.
Von Waldow, Arnd N.
Wallis, Eric G.
Warne, David G.
Wasserman, Mark W.
Weissman, David L.
Weissman, Sonja S.
Weller, Charles G.
Weyman, Mark L.
Wilkinson, James F.
Wilkinson, John
Williams, Christopher J.
Wilson, Stephanie
Winter, Graham P.
Witty, Huw R. M.
Wolff, Sarah R.
Wood, Douglas J.Wood, James M.
Wray, Richard K.
Yavitz, Judith A.
Yoo, Thomas J.
York, Stephen
Zaimes, John P.
Zhang, Jinshu
Zoeller, Lee A.
Zurzolo, Tracy LeighAdditional Partners:
Garcia, Sergio
• *Grellet, Luc
Illouz, Stephane
Scudellari, Richard
Shugrue, John D.Former Partners;
Altorelli, John J.
Barry, Kevin R.
Beirme, Nola M.
Bohan, David C.
Haggerty, James R.
Heard, David J.
Heidelberger, Louis M.
Hunt, Mark T.
Kiel, Gerald H.
Lewis, Lars
McCarthy, Michael P.
Miller, Robert J.
Picco, Steven J.
Rhatigan, Sean M.
Tovey, Morgan W.(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: September 9, 2008
(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- Former Equity Partners:
- Alfandary, Peter R.
 - Bradford, Timothy B.
 - Brown, George
 - Fischer, Michael I.
 - Fisher, Stanley P.
 - Greenberger, James J.
 - Hall, Kevin A.
 - Hanes, Grayson P.
 - Hierons, Richard
 - Kearney, Kerry A.
 - Kolaski, Kenneth M.
 - Levine, Edward H.
 - London, Alan E.
 - Maxtone-Smith, Michael J.
 - Morgan, Adam R.
 - Munoz, Peter S.
 - Oppedahl, Mary C.
 - Restivo, Jr., James J.
 - Sabourin, Jr., John J.
 - Shapiro, Clifford J.
 - Siamas, John S.
 - Smith, III, John F.
 - Stoney, Jr., Carl J.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 9, 2008
(enter date affidavit is notarized)

97845e

for Application No. (s): SE 2007-MV-031
(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: September 9, 2008
(enter date affidavit is notarized)

9784se

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 or 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.)

William G. Thomas made a campaign contribution to Gerald E. Connolly in excess of \$100.
Reed Smith PAC made a campaign contribution to Gerald E. Connolly in excess of \$100.
Thomas W. Greeson made a donation to ActBlue Political Action Committee in excess of \$100 and directed that the donation be allocated as a campaign contribution to Gerald E. Connolly.
Carol C. Honigberg made a campaign contribution to John W. Foust in excess of \$100.

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:

(check one) Applicant Applicant's Authorized Agent

Robert A. Lawrence
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 9th day of September 20 08, in the State/Comm. of Virginia, County/City of Fairfax.

Deborah S. Gordon
Notary Public

My commission expires: December 31, 2012



RECEIVED
Department of Planning & Zoning

OCT 04 2007

Zoning Evaluation Division

LORTON CORNER ROAD LLC
TAX MAP 108-3 ((1)) PARCELS 2 AND 3
TAX MAP 108-3 ((2)) PARCELS 2, 5 AND 6
AND A PORTION OF LORTON ROAD (ROUTE 968)
October 3, 2007

PROFFERED CONDITION AMENDMENT
STATEMENT OF JUSTIFICATION

Background

On March 24, 1997, the Board of Supervisors (the "Board") adopted an Ordinance approving PCA 93-V-028 subject to the Proffered Conditions dated January 24, 1997 (the "Proffers"), and the Proffered Condition Amendment Plat ("PCA Plat") revised as of October 29, 1996, that amended and superseded the proffers and generalized development plan accepted by the Board in conjunction with the approval of RZ 93-V-028 on April 25, 1994. That PCA would allow development of a retail center with a maximum FAR of 0.186 with 1, 2 or 3 buildings as determined by the Applicant containing up to 39,350 square feet of gross floor area, instead of the previously approved 1 or 2 buildings. The site has not been developed.

Proposal

The Applicant has determined that a development which utilizes two buildings with drive-in components is more marketable. Therefore, the Applicant is requesting an amendment of the Proffers and the PCA Plat to modify the site layout. Concurrently herewith, the Applicant has also filed an application for a special exception to permit the development of a drive-in bank and a drive-through pharmacy on the property. The proposed amendment of the PCA Plat is depicted on the consolidated Proffered Condition Amendment/Special Exception Plat submitted in support of both applications (the "PCA/SE Plat").

This application includes a portion of Lorton Road (Rte. 968) as a part of the subject property. This section of roadway is already zoned C-5 because it was included in the prior applications (RZ 93-V-028 and PCA 93-V-028). On May 21, 2007, the Board of Supervisors authorized the inclusion of this right-of-way in this application. All of this right-of-way is included in this application. However, a portion of this right-of-way (0.1334 square feet) will not be included in the new PCA/SE Plat approved with this application. Thus, the application contains 3.7166 acres but the PCA/SE Plat, upon approval, will contain 3.5833 acres (3.7166 acres - 0.1334 acres). Legal descriptions are included with this application.

Comprehensive Plan

The subject site is located in the Lorton-South Route 1 Community Planning Sector (LP2) of the Lower Potomac Planning District in Area IV, Sub-Unit E4. The applicable text for the subject property is as follows:

This sub-unit (Tax Map 108-3 ((1)) 2 and 3 and Tax Map 108-3 ((2)) 2, 5 and 6) is planned for retail and related uses up to .25 FAR, as long as all the parcels in the sub-unit are consolidated. Absent full consolidation no development should exceed .15 FAR. Any development on the site should recognize site and access constraints. Auto-oriented uses are not appropriate. Efficient circulation should

be provided and curb cuts should be minimized. Buffering and screening of adjacent residential development should be provided. Dedication for the widening of Route 1 and Lorton Road should be provided with primary access to the site from Lorton Road. Secondary access may be provided from Route 1, but must be restricted to right turns in and out. Internal vehicular circulation and locations of entrances and median breaks should be arranged to minimize conflicts with traffic on the adjacent arterial roadways. As an option, Parcels 108-3 ((1)) 2, 3, 108-3 ((2)) 2, 5, 6 may be considered for public park.

As an option, a drive-in bank and a drive-through pharmacy up to .15 FAR may be appropriate provided the following conditions are met:

- All parcels in the sub-unit are consolidated.
- Development should include no more than two separate buildings.
- Every effort should be made to orient buildings toward Richmond Highway and to avoid locating parking in front of buildings in order to create an attractive streetscape along Richmond Highway and to improve/enhance the visual image of this portion of Richmond Highway.
- Development includes appropriate landscaping to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District.
- Development includes landscaping in the right-of-way along Lorton Road where it intersects with Richmond Highway, if permission is granted by VDOT.
- All recommendations on transportation and buffering and screening for Sub-Unit E4 are satisfied.

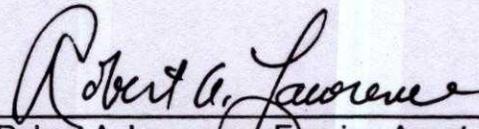
The maximum gross floor area under the currently approved Proffers is 39,350 square feet (FAR .30). The Applicant is proposing 18,346 square feet; an FAR of only 0.145. Under this configuration, the site will provide almost double the amount of required open space. Thirty-three percent (33%) is provided as opposed to the twenty percent (20%) required.

The application provides for full parcel consolidation and proposes retail and related use of the property at substantially less than the maximum .25 FAR. The Application submitted herein conforms with the Plan option for a drive-in bank and a drive-through pharmacy as set forth above. Efficient circulation is provided by two right turn-in, right turn-out entrances and unrestricted vehicular access between the buildings on-site. Buffering and screening of the adjacent residential property is provided. The dedication and construction for the widening of Route 1 and Lorton Road has already been completed.

The Applicant is requesting reaffirmation of the following previously granted modifications:

1. Waiver of the service drive requirement along the north side of U.S. Route 1, Richmond Highway ("Route 1").

2. Modification of the Comprehensive Plan trail requirement along the north side of Route 1 in favor of the existing five (5) foot wide concrete sidewalk in the location shown on the PCA/SE Plat.
3. Modification of the required width of the transitional yards and deletion of the barrier requirement along Route 1 adjacent to the residentially-zoned properties pursuant to Section 13-304, paragraph 3, of the Fairfax County Zoning Ordinance, in favor of the landscaping indicated on the Landscape Plan, Sheet 4 of the PCA/SE Plat.
4. Modification of the required transitional yard width and associated plantings pursuant to Section 13-304, paragraph 4, of the Ordinance in favor of the twelve (12) foot wide yard, seven (7) foot high masonry wall and evergreen plantings as proposed by the PCA/SE Plat along the north property line adjacent to The Woods of Fairfax project.



Robert A. Lawrence, Esquire, Agent
Agent for Lorton Corner Road LLC

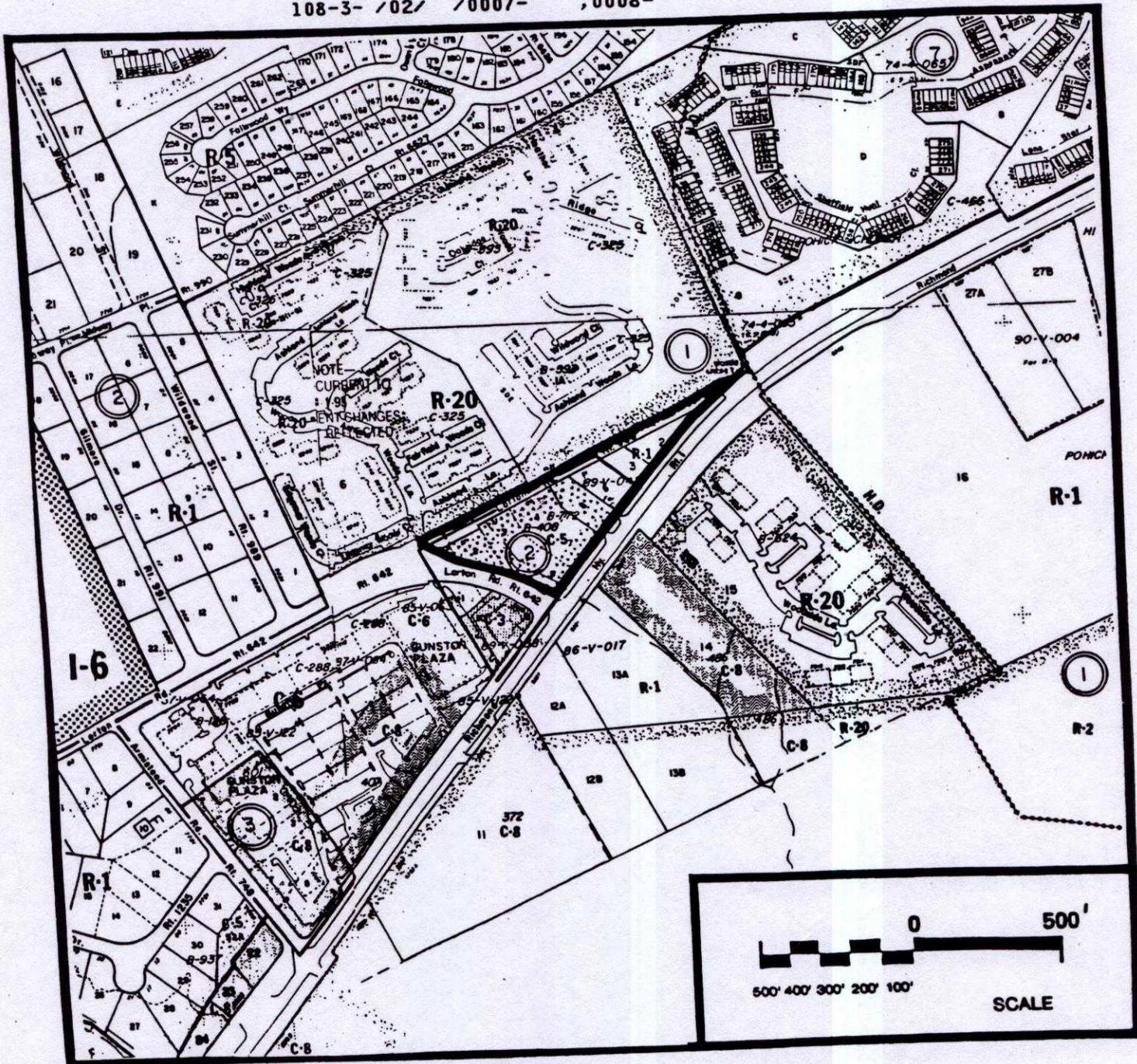
REZONING APPLICATION

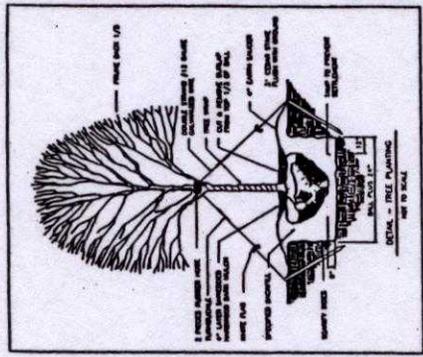
RZ 93-V-028

RZ 93-V-028
 FILED 09/07/93
 AMENDED 03/17/94

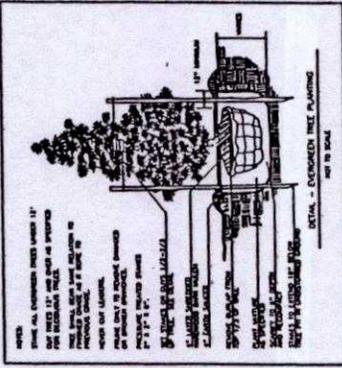
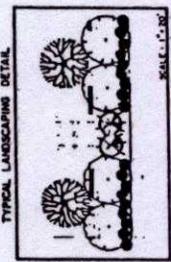
BANK OF ALEXANDRIA
 TO REZONE: 4.85 ACRES OF LAND; DISTRICT - MT VERNON
 PROPOSED: RETAIL
 LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION
 OF LORTON RD. AND RICHMOND HWY.
 ZONING: R-1 C-5 AND PORTIONS OF LORTON RD. (ROUTE 968)
 TO: C-5 RIGHT-OF-WAY TO BE ABANDONED AND
 OVERLAY DISTRICT(S): VACATED

MAP REF	108-3- /01/ /0002-	,0003-	,0004-	,0005-	,0006
	108-3- /02/ /0002- <td>,0003- <td></td> <td></td> <td></td> </td>	,0003- <td></td> <td></td> <td></td>			
	108-3- /02/ /0007- <td>,0008- <td></td> <td></td> <td></td> </td>	,0008- <td></td> <td></td> <td></td>			



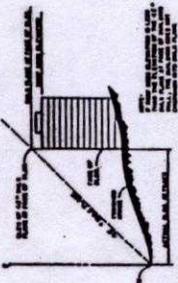


- TREE COVER SUMMARY
- TOTAL SITE AREA 6,944 SQ. FT.
 - BUILDABLE AREA (BUILDING FOOTPRINT OR 2.5' PER LOT X 100' OF BUILDABLE LOTS) 42,000.00 SQ. FT.
 - DESIGNATED AREAS 0.00 SQ. FT.
 - ADJUSTED SITE AREA 174,181.18 SQ. FT.
 - REQUIRED TREES (20' - 18' DBH) 17,548.18 SQ. FT.
 - TREES COVER TO BE PROVIDED 17,548.18 SQ. FT.
 - EXISTING TREE COVER AREA (2 1/2" DBH) 0.00 SQ. FT.
 - TREES COVER PROVIDED 18,000.00 SQ. FT.
 - EXCESS TREE COVER 5,451.82 SQ. FT.
- TREE PROTECTION TO BE PLACED AT DRIVE, USE OF EXISTING TREES UP TO LIMITS OF CLEARING & GRADING AS PER OPEN PAVEMENT IMPROVEMENT.



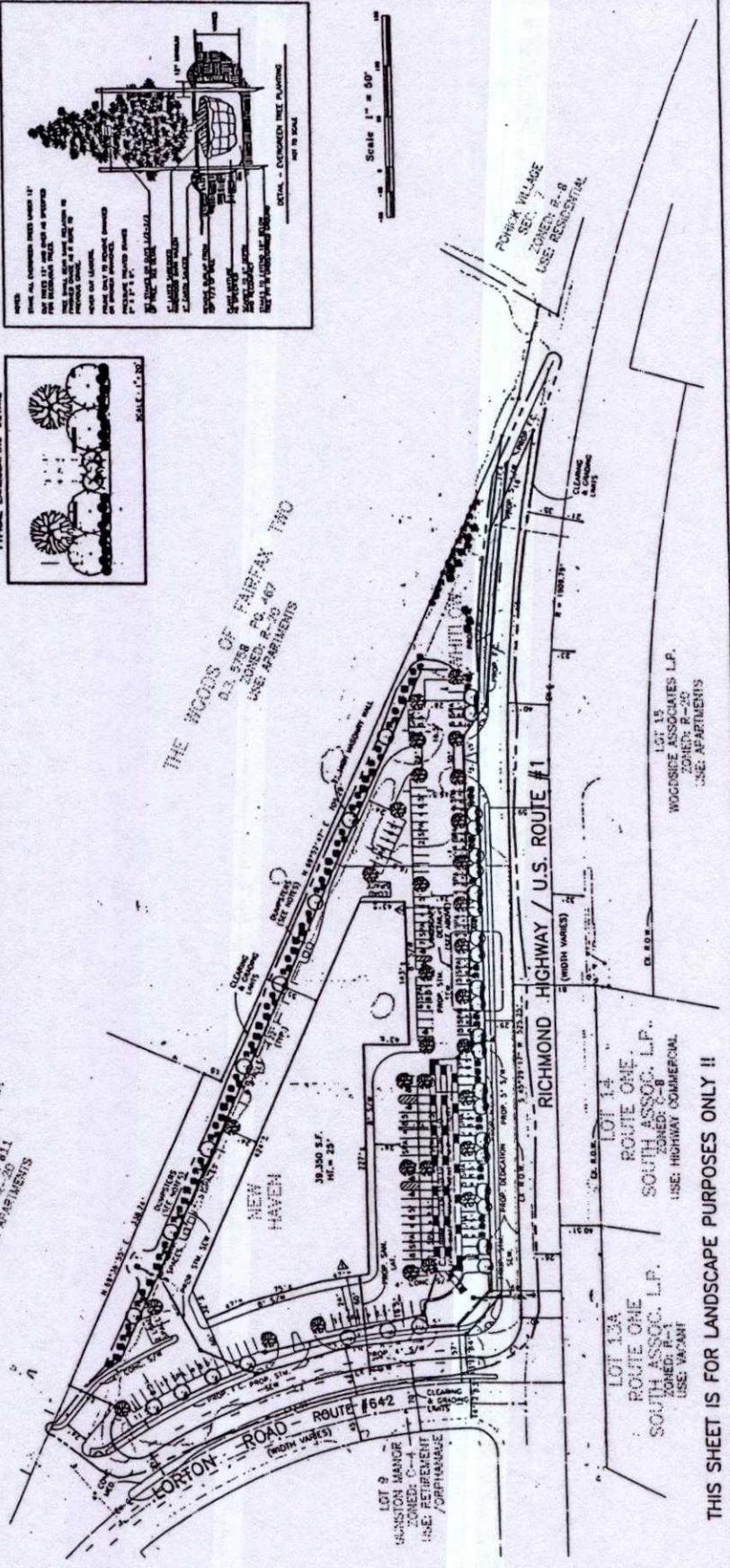
Scale 1" = 50'

INTERIOR PARKING LOT LANDSCAPING
 PARKED PARKING AREA
 INTERIOR PARKING LOT LANDSCAPING PROVIDED



LOCATION	TREE SIZE	NO. OF TREES	TOTAL SQ. FT. OF CANOPY	TOTAL SQ. FT. OF TRUNK
1	18" DBH	17,548	17,548.18	17,548.18
2	18" DBH	17,548	17,548.18	17,548.18
3	18" DBH	17,548	17,548.18	17,548.18
4	18" DBH	17,548	17,548.18	17,548.18
5	18" DBH	17,548	17,548.18	17,548.18
6	18" DBH	17,548	17,548.18	17,548.18
7	18" DBH	17,548	17,548.18	17,548.18
8	18" DBH	17,548	17,548.18	17,548.18
9	18" DBH	17,548	17,548.18	17,548.18
10	18" DBH	17,548	17,548.18	17,548.18

THE WOODS OF FAIRFAX
 D.B. 5708 P. 2, 407
 ZONED R-20
 USE: APARTMENTS



PLANTING SCHEDULE

SYMBOL QUANT.	TREE TYPE	SIZE & CONDITION
1	LARGE DECIDUOUS TREES	2 1/2" DBH, BAR
2	LARGE DECIDUOUS TREES	2 1/2" DBH, BAR
3	LARGE EVERGREEN TREES	6" H, BAR
4	MEDIUM EVERGREEN TREES	6" H, BAR
5	FLOWERING EVERGREEN SHRUBS	18"-24" H, CONT.

TREE SELECTION WILL BE MADE AT TIME OF FINAL SITE PLAN

THIS SHEET IS FOR LANDSCAPE PURPOSES ONLY !!



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS

12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

May 13, 1994

Robert A. Lawrence, Esquire
Hazel and Thomas, P.C.
3110 Fairview Park Drive - Suite 1400
Post Office Box 12001
Falls Church, Virginia 22042-4505

Re: Rezoning Application
Number RZ 93-V-028

Dear Mr. Lawrence:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 25, 1994, granting Rezoning Application Number RZ 93-V-028 in the name of Bank of Alexandria, to rezone certain property in the Mount Vernon District from the R-1 and C-5 Districts to the C-5 District, subject to the proffers dated April 8, 1994 on subject parcels 108-3 ((1)) 2 and 3; 108-3 ((2)) 2, 3, 4, 5, 6, 7 and 8 and portions of Lorton Road (Route 968) right-of-way to be abandoned and/or vacated, consisting of approximately 4.85 acres.

The Board also:

- Modified the transitional screening along the north of the property adjacent to the woods of Fairfax Apartments as shown on the General Development Plan (GDP);
- Modified the transitional screening and waived the barrier requirements along Route 1; and
- Waived the service drive requirement along Route 1.

Sincerely,

Nancy Vehrs

Clerk to the Board of Supervisors

RZ 93-V-028

2.

May 13, 1994

NV/ns.

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Dvs., OCP
Fred R. Beales, Supervisor Base Property Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acqu. & Planning Dvs., Park Authority

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 25th day of April, 1994, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 93-V-028

WHEREAS, Bank of Alexandria, filed in the proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from the R-1 and C-5 Districts to the C-5 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

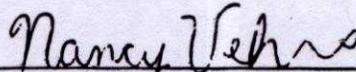
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the C-5 District, and said property is subject to the use regulations of said C-5 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.1-491(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 25th day of April, 1994.



Nancy Vehrs

Clerk to the Board of Supervisors

APR 21 1994

ZONING EVALUATION DIVISION

RZ 93-V-028
Bank of Alexandria, Inc.
April 8, 1994

PROFFERS

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned proffer the following conditions provided the Board of Supervisors approves RZ 93-V-028 for development of a retail center in the C-5 District as proffered herein. For the purposes of these proffers, the term "Developer" refers to the Bank of Alexandria or their successors or assigns.

1. Subject to the provisions of Section 18-204 of the Zoning Ordinance of Fairfax County, development of the property shall be in substantial conformance with the Generalized Development Plan (GDP) entitled "Lots 4, 5, 6, 7, Remainder of Lots 1, 2, 3, 8 New Haven Subdivision The Land of Wayne M. & Mary L. Whitlow", consisting of two (2) sheets and prepared by Huntley Nyce and Associates, Ltd., Sheet 1, revised as of April 8, 1994, and Sheet 2, revised as of April 8, 1994.
2. The footprint of the building shown on the GDP may be modified in the following manner subject to the following conditions:

- a. The buildings shown on the GDP may be separated into two (2) buildings and footprint size(s) and shape(s) may vary within the area designated as "Building Envelope", provided that the total combined gross floor area, proposed for the subject site, does not exceed 39,350 square feet; the open space provided in the tabulations and the minimum dimensions to the peripheral lot lines from the building envelope and landscaping are maintained;
 - b. The parking shown as "Required" and "Provided" in the tabulations on the GDP may change as a result of final engineering design, architectural design, and user needs resulting from final tenant/purchaser negotiations. However, the parking requirements of the Zoning Ordinance shall be met.
3. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of sixty nine (69) feet from the centerline along the Route 1 frontage of the property as shown on the GDP. Such dedication and conveyance shall be made upon demand by Fairfax County or at the time of site plan approval, whichever first occurs. Prior to the issuance of the first non-RUP, the Developer shall

construct all frontage improvements along Route 1, as shown on the GDP. Such improvements shall be constructed in accordance with Virginia Department of Transportation (VDOT) standards, subject to the approval of the Department of Environmental Management (DEM).

4. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of fifty seven (57) feet from the existing centerline along the Lorton Road (Route 642) frontage of the property as shown on the GDP. Such dedication and conveyance shall be made upon demand by Fairfax County or at the time of site plan approval, whichever first occurs. Prior to the issuance of the first non-RUP, the Developer shall construct all frontage improvements along Lorton Road (Route 642), as shown on the GDP. Such improvements shall be constructed in accordance with Virginia Department of Transportation (VDOT) standards, subject to the approval of the Department of Environmental Management (DEM).

5. In the event that VDOT requires dedication to accommodate a six (6) lane roadway along portions of the Lorton Road frontage of the site and said dedication requires modifications to the GDP which are

beyond the scope of the minor modifications permitted by the Zoning Administrator under Section 18-204 of the Zoning Ordinance, the Developer shall file a Proffered Condition Amendment to accommodate said dedication and resultant modifications and shall agree to dedicate in fee simple up to 65 feet from the existing centerline of Lorton Road (Route 642) to the Board of Supervisors to provide the additional right-of-way needed for the road improvements.

6. Amusement arcades, fast food restaurants containing drive through windows, churches, chapels, other places of worship, and mobile or land based telecommunication facilities will not be permitted on the property. No more than two (2) delivery-oriented fast food restaurants, i.e. whose primary service is providing off-site delivery, will be permitted on the site at any given time.

7. All businesses operating on site shall be advised of the need to comply with local, state and federal laws, pertaining to utilization of toxic or hazardous substances. Notice of said compliance requirements shall be provided in italicized print in every tenant's lease. Retail sale of auto supplies, ~~or any dry~~ cleaning establishments, wherein cleaning is done on-

site, and businesses whose primary functions involve the routine use of large amounts of hazardous or toxic materials on the premises (other than materials used to clean said premises) shall not be permitted.

8. The Developer shall file a Proffered Condition Amendment to revise the GDP if any portions of the right-of-way proposed for abandonment or vacation are disapproved by the Board of Supervisors and this disapproval requires modifications to the GDP which are beyond the scope of the minor modifications permitted by Zoning Administrator determination under Section 18-204 of the Zoning Ordinance.

9. The architectural treatment of the buildings on the Property shall be harmonious and compatible with architectural treatments now in place in Gunston Plaza. To this end, all building facades will be substantially composed of brick consistent with the composition ratio of Gunston Plaza. The shading of the brick will be similar to brick currently installed in Gunston Plaza. The architectural treatment of walls on the rear of the center shall be the same as the architectural treatment on the front of the center.

10. Architectural screening techniques will be utilized to screen air conditioning units and other rooftop mechanical equipment.
11. Dumpsters will be located in the rear of the center and screened from view with wooden fences and landscaping subject to the approval of DEM.
12. Parking lot lighting shall be directional and directed downward and inward so as to minimize glare on adjacent properties. A "carriage light" design shall be utilized for the light standards that are located at the entrances to the Subject Property.
13. All signs shall conform with the requirements of Article 12 of the Zoning Ordinance. No more than two (2) free-standing signs shall be established on-site. These free-standing signs shall be architecturally designed so as to be compatible with other signs in the center and with the architectural treatments of buildings on-site.
14. A mixture of plantings shall be provided so as to insure seasonal coloring and flowering on-site. To this end, flowering trees and other deciduous trees will be interspersed with evergreen trees and low-lying

shrubs and flowers. The location and mixture of the tree plantings shall be subject to approval by the Urban Forester of Fairfax County and shall be in substantial conformance with the Landscape Plan, dated February 16, 1994. Subject to Urban Forester approval, no white pines shall be provided along the frontage of Route 1 or Lorton Road (Route 642). Subject to the approval of DEM, a gazebo approximately fourteen (14) feet in diameter shall be located on-site near the intersection of Route 1 and Lorton Road (Route 642), provided said structure does not interfere with traffic sight distance or the provision of stormwater management.

15. The maximum hours that any restaurant established on the site is open to the public for business shall be 6:00 A.M. to 12:00 midnight, seven (7) days per week.
16. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

BANK OF ALEXANDRIA, INC.

By: *Stephen P. Tees*
Stephen P. Tees, Senior Vice President

Wayne M. Whitlow
Wayne M. Whitlow, Title Owner of
Parcels 108-3 ((1)) 2 and 3

Mary L. Whitlow
Mary L. Whitlow, Title Owner of
Parcels 108-3 ((1)) 2 and 3

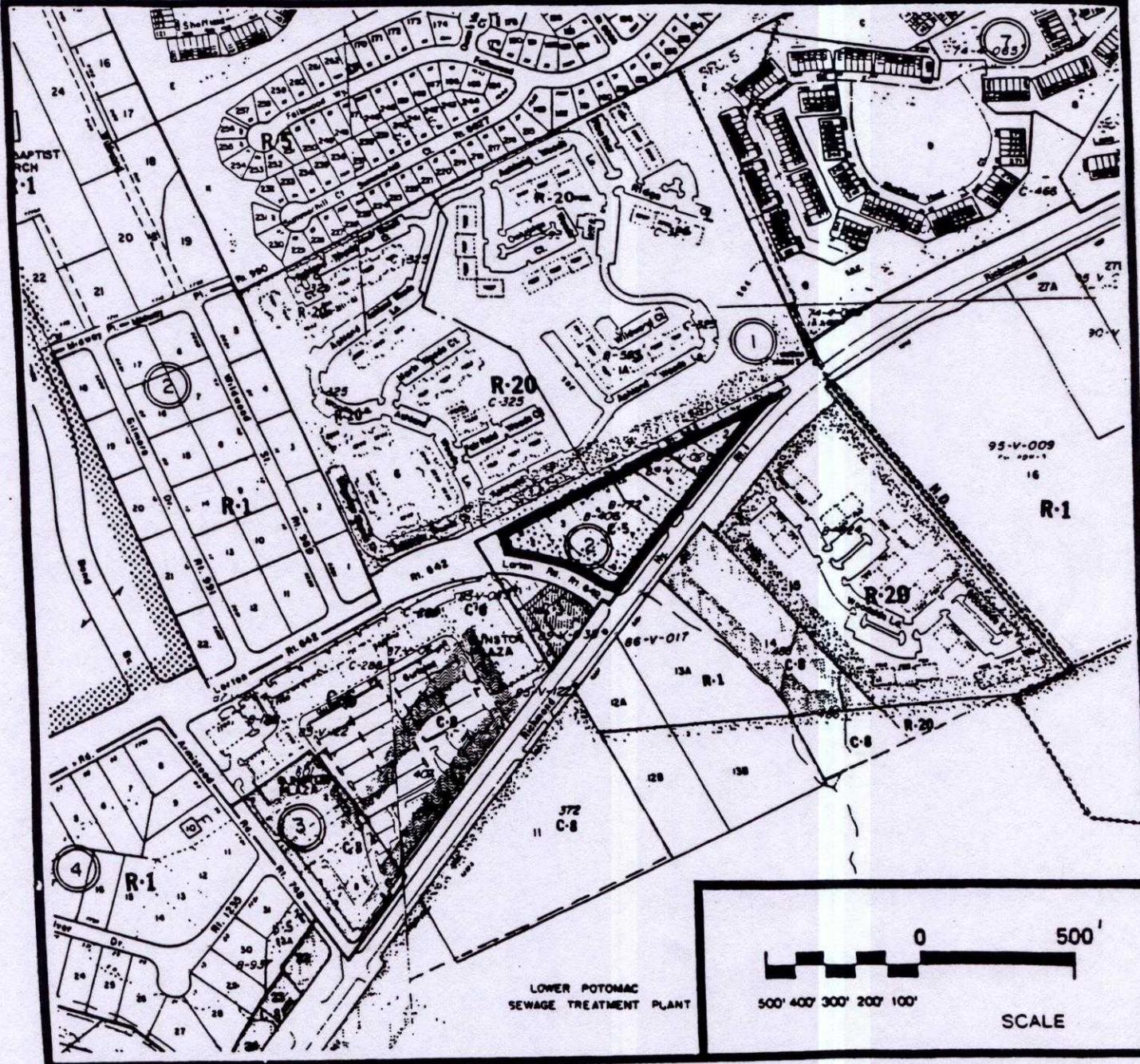
PCA 93-V-028

PCA 93-V-028
FILED 07/08/96

BANK OF ALEXANDRIA
PROFFERED CONDITION AMENDMENT
PROPOSED: RETAIL COMMERCIAL
APPROX. 4.04 ACRES OF LAND; DISTRICT - MT VERNON
LOCATED: E. SIDE OF LORTON RD. (RT. 642) AT ITS INTERSECTION
WITH RICHMOND HWY.

ZONING: C-5
OVERLAY DISTRICT(S):

MAP REF	108-3- /01/ /0002-	,0003-			
	108-3- /02/ /0002-	,0003-	,0004-	,0005-	,0006
	108-3- /02/ /0007-	,0008-			



TITLE & APPROVALS
 DATE: 10/15/88
 DRAWN BY: J. J. ...
 CHECKED BY: ...
 APPROVED BY: ...
 PROJECT: ...



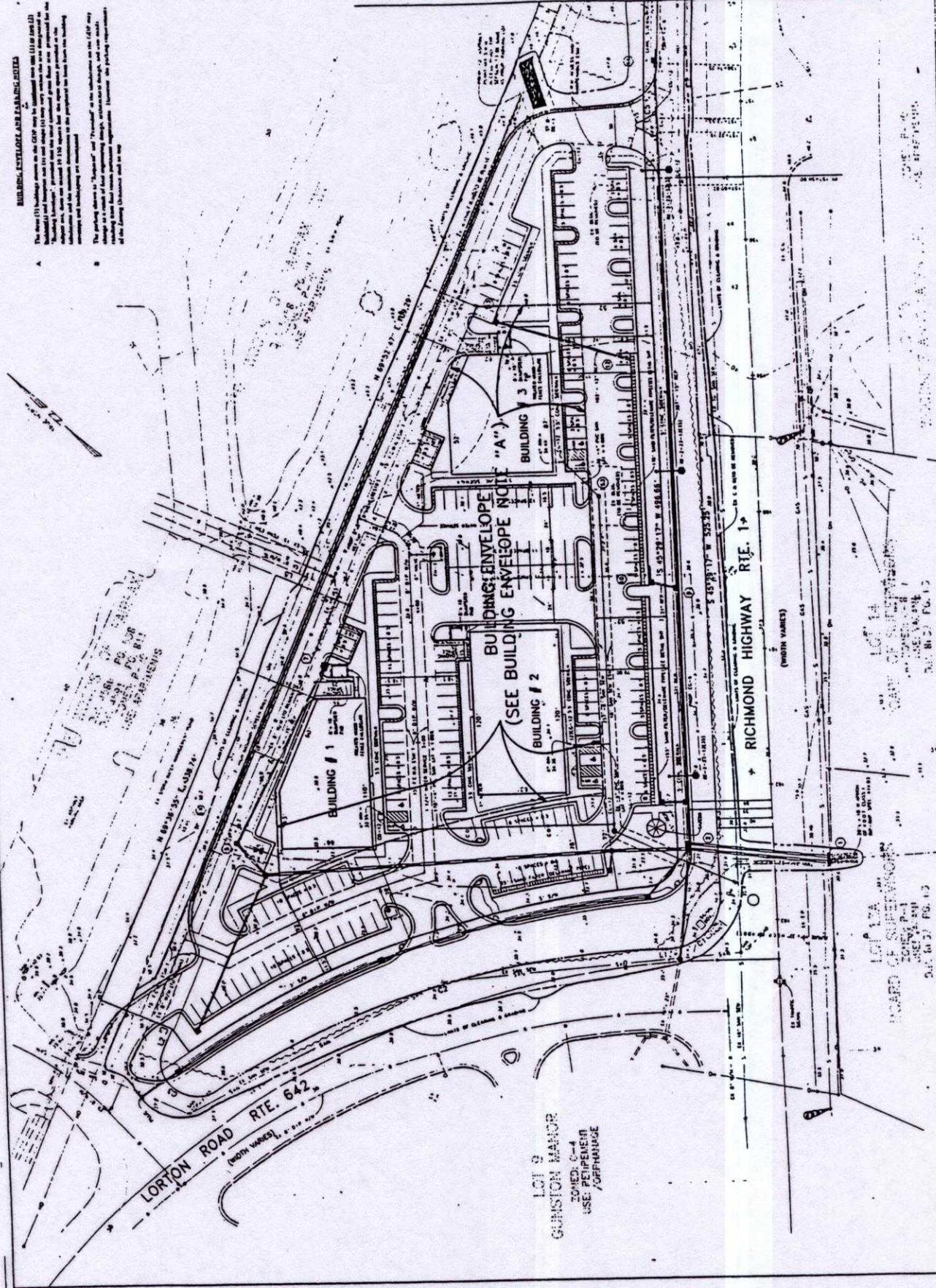
LORTON CORNER (FORMERLY NEW HAVEN)
 FAIRFAX COUNTY, VIRGINIA
 PROJECT: CONDITION AMENDMENT PZ 93-V-028

SCALE: 1" = 50'
 SHEET: 01 OF 04
 DATE: 10/15/88
 BY: J. J. ...
 FOR: ...

SHEET 1 OF 4
 DATE: 10/15/88

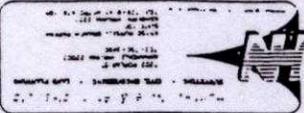
MATCH LINE - SEE SHEET 2

BUILDING ENVELOPE AND SETBACK NOTES
 The area (1) building envelope on the site may be ...
 (2) Building Envelope (1) and (2) may be ...
 (3) Building Envelope (1) and (2) may be ...
 (4) Building Envelope (1) and (2) may be ...
 (5) Building Envelope (1) and (2) may be ...
 (6) Building Envelope (1) and (2) may be ...
 (7) Building Envelope (1) and (2) may be ...
 (8) Building Envelope (1) and (2) may be ...
 (9) Building Envelope (1) and (2) may be ...
 (10) Building Envelope (1) and (2) may be ...



LOT 9
 GUNSTON MANOR
 ZONED: C-4
 USE: PERIPHERAL OFFICE/RESIDENTIAL

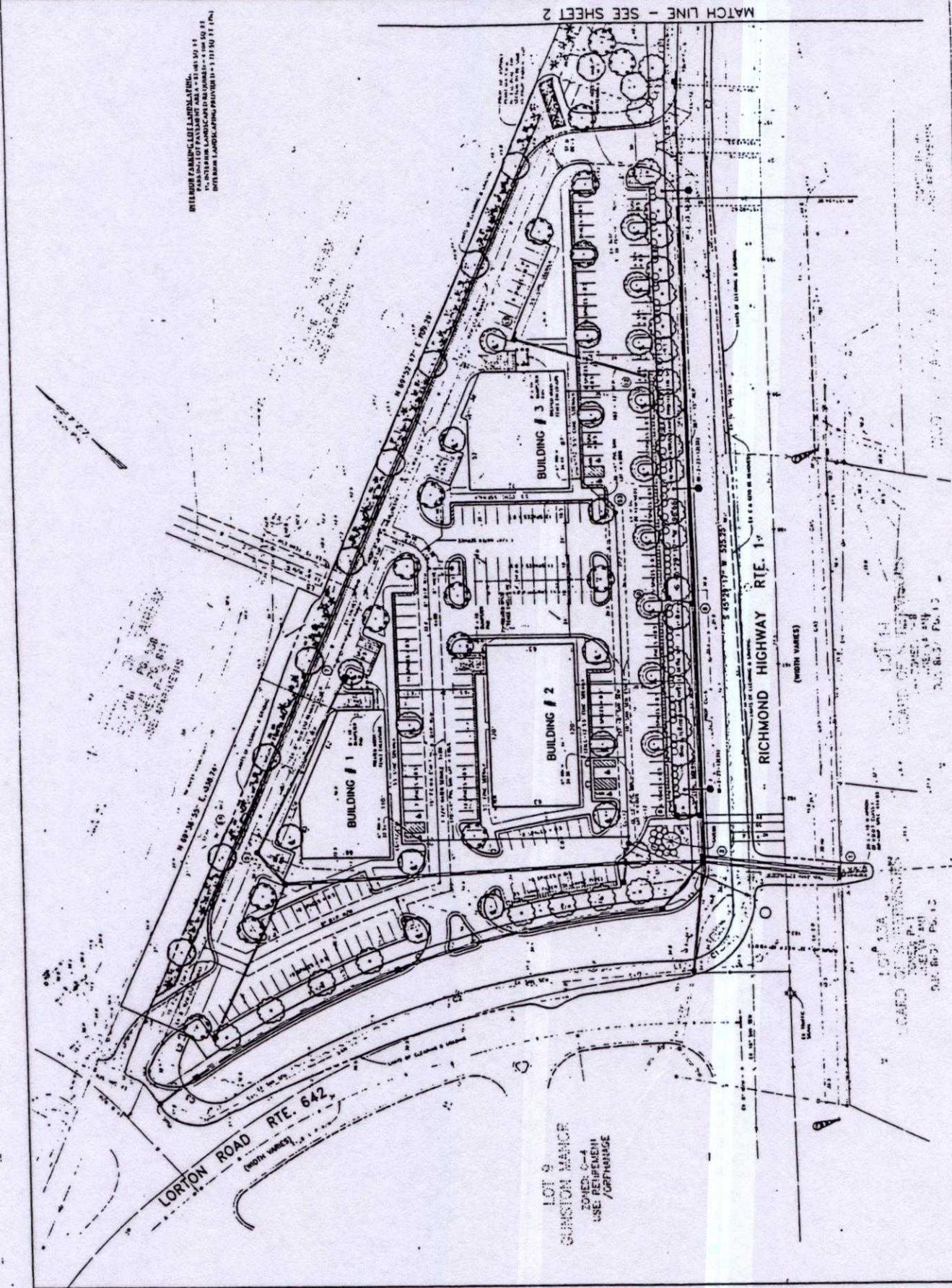
BOARD OF SUPERVISORS
 COUNTY OF FAIRFAX
 J. J. ...
 DATE: 10/15/88



PROFFER CONDITION AMENDMENT RZ 92-V-02E
 LORTON CORNER (FORMERLY NEW HAVEN)
 FARRIS COUNTY, MARYLAND

DATE: 10/1/88
 SHEET: 3 OF 4
 PROJECT: LORTON CORNER (FORMERLY NEW HAVEN)
 DRAWN BY: [Name]

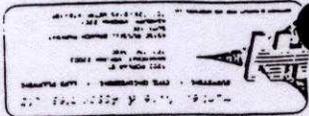
3 OF 4
 SHEET NO. 3 OF 4



IRLEIGH FARMING, LTD. LANDLORDS, INC.
 10000 WOODBURN ROAD, SUITE 100
 FARMERS MARKET BUILDING - 10000 WOODBURN ROAD
 FARMERS MARKET - 10000 WOODBURN ROAD
 FARMERS MARKET - 10000 WOODBURN ROAD

LOT 9
 GUNSTON MANOR
 ZONED: C-4
 USE: RESIDENTIAL USE / APARTMENTAGE

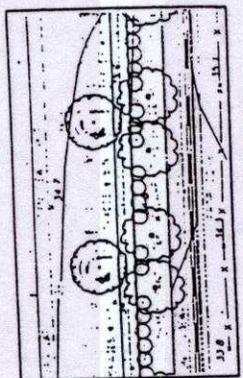
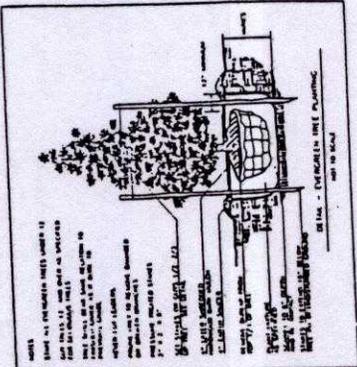
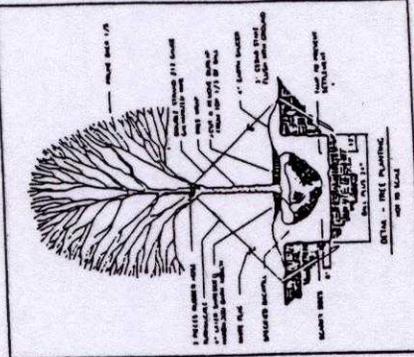
LOT 9
 GUNSTON MANOR
 ZONED: C-4
 USE: RESIDENTIAL USE / APARTMENTAGE
 SHEET NO. 3 OF 4



LORTON CORNER (FORMERLY NEW HAVEN)
 CLERK OF COURTS, FAIRFAX COUNTY, VIRGINIA
 PROPOSED... AMENDMENT RZ 93-V-028

SHEET 11-34
 DATE 01-08-16
 DRAWN BY
 CHECKED BY
 DATE OF ISSUE

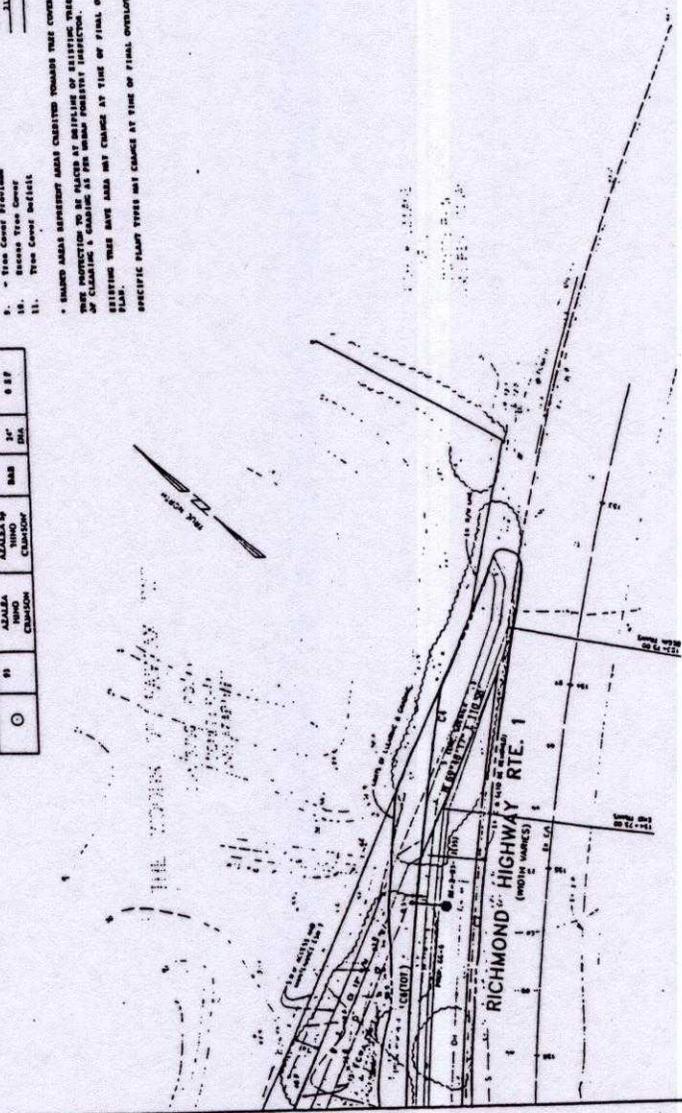
SHEET 4 of 4
 DATE 01-08-16



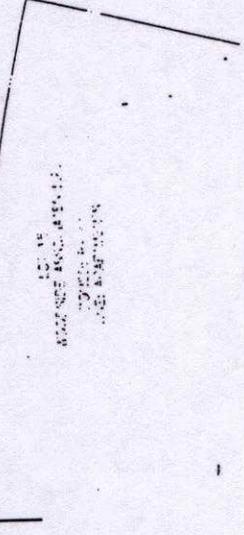
- PLANNED CANOPY
 THAT OVERLAYS
1. - Total Site Area 118,413 - 50,272
 2. - Total Site Area 118,413 - 50,272
 3. - Total Site Area 118,413 - 50,272
 4. - Total Site Area 118,413 - 50,272
 5. - Total Site Area 118,413 - 50,272
 6. - Total Site Area 118,413 - 50,272
 7. - Total Site Area 118,413 - 50,272
 8. - Total Site Area 118,413 - 50,272
 9. - Total Site Area 118,413 - 50,272
 10. - Total Site Area 118,413 - 50,272
 11. - Total Site Area 118,413 - 50,272

SYMBOL	NO.	COMMON NAME	BOTANICAL NAME	CROWN	SIZE COVERAGE
○	11	PISTACHE	QUERCUS PALMISTIS	BAR 7' CAL	200 SF
○	12	LITTLE LEAF LINDEN	TILIA	BAR 7' CAL	200 SF
○	13	BALD PATE	FRAXINUS	7' CAL	200 SF
○	14	SUGAR MAPLE	ACER SACCABINUM	BAR 7' CAL	200 SF
○	15	WHITE PINE	PINUS STROBILIS	BAR 7' CAL	200 SF
○	16	LESLIAUD CYPRESS	CYPRIPETALUS LESLIIANUS	BAR 7' CAL	100 SF
○	17	AZALEA	AZALEA	BAR 7' CAL	0 SF
○	18	SHRUB	SHRUB	BAR 7' CAL	0 SF
○	19	SHRUB	SHRUB	BAR 7' CAL	0 SF

SHRUB AREAS REPRESENT AREAS CREATED THROUGH TREE CANOPY CALCULATIONS. THESE CALCULATIONS TO BE MADE BY INSPECTOR OF PLANNING DEPARTMENT OR AT LEAST BY PLANNING DEPARTMENT INSPECTOR. THESE CALCULATIONS TO BE MADE AT TIME OF FINAL OVERLAY GRADING PLAN.



MATCH LINE - SEE SHEET 3



LORTON CORNER
 PLANNING DEPARTMENT
 JAMES W. WATSON



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

April 18, 1997

Telephone: 703-324-3151

FAX: 703-324-3926

TDD: 703-324-3903

Robert A. Lawrence, Esquire
Hazel and Thomas, P.C.
3110 Fairview Park Drive - Suite 1400
Post Office Box 12001
Falls Church, Virginia 22042-4505

RE: Proffered Condition Amendment
Number PCA 93-V-028

Dear Mr. Lawrence:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 24, 1997 approving Proffered Condition Amendment PCA 93-V-028 in the name of Bank of Alexandria, subject to the proffers dated January 24, 1997, on subject parcels 108-3 ((1)) 2, 3; and 108-3 ((2)) 2-8, consisting of approximately 4.85 acres in Mount Vernon District.

The Board also:

- Reaffirmed waiver of the service drive along Route One;
- Modified the transitional screening requirement along the north and along Route One and waived the barrier along Route One as shown on the Generalized Development Plan (GDP); and
- Waived the trail requirement along Route One in favor of a five foot wide sidewalk as shown on the GDP.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 24th day of March, 1997 the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 93-V-028

WHEREAS, Bank of Alexandria filed in the proper from an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.1.491(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

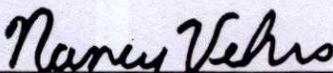
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.1.491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel. and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 24th day of March, 1997



Nancy Vehs
Clerk to the Board of Supervisors

PCA 93-V-028
April 18, 1997

2.

NV/ns

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administrations
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Robert Moore, Trnsprtn. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Div., Park Authority
James D. Gorby, Acting Director, Facilities Mgmt. Div., Office of General Svcs.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
APR 18 1997
ZONING EVALUATION DIVISION

PROFFERS

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned proffer the following conditions provided the Board of Supervisors approves PCA 93-V-028 as proffered herein. For the purposes of these proffers, the term "Developer" refers to the Bank of Alexandria or their successors or assigns.

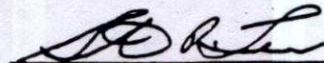
1. If accepted, these proffers supersede the proffers in RZ 93-V-028.
2. Subject to the provisions of Section 18-204 of the Zoning Ordinance of Fairfax County, development of the property shall be in substantial conformance with the Proffered Condition Amendment Plan ("PCA Plan") entitled "Proffered Condition Amendment RZ 93-V-028", consisting of four (4) sheets and prepared by Huntley, Nyce and Associates, Ltd., revised as of October 29, 1996.
3. The footprints of the buildings shown on the PCA Plan may be modified in the following manner subject to the following conditions:
 - a. The three (3) buildings shown on the PCA Plan may be combined into two (2) buildings or one (1) building and footprint size(s) and shape(s) may vary within the area designated as "Building Envelope" on the plan, provided that the total combined gross floor area proposed for the subject site, does not exceed 39,350 square feet; and the open space provided in the tabulations, the minimum dimensions to the peripheral lot lines from the building envelope and landscaping are maintained;
 - b. The parking shown as "Required" and "Provided" in the tabulations on the PCA Plan may change as a result of final engineering design, architectural design, and user needs resulting from final tenant/purchaser negotiations. However, the parking requirements of the Zoning Ordinance shall be met, as approved by the Department of Environmental Management ("DEM").
4. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of sixty-nine (69) feet from the centerline along the Route 1 frontage of the property as shown on the PCA Plan. Such dedication and conveyance shall be made upon demand by Fairfax County or at the time of site plan approval, whichever first occurs. Prior to the issuance of the first non-RUP, the Developer shall construct all frontage improvements along Route 1, as shown on the PCA Plan.

5. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of fifty-seven (57) feet from the centerline along the Lorton Road (Route 642) frontage of the property, as shown on the PCA Plan. Such dedication and conveyance shall be made upon demand by Fairfax County or at the time of site plan approval, whichever first occurs. Such dedication and such improvements shall be constructed in accordance with Virginia Department of Transportation ("VDOT") plans referenced in VDOT project 0642-029-221-C 502, dated September 9, 1992, subject to the approval of DEM. Prior to the issuance of the first non-RUP, the Developer shall construct all frontage improvements along Lorton Road (Route 642), in accordance with said VDOT Plan.
6. Amusement arcades, fast food restaurants containing drive-through windows, churches, chapels, other places of worship, and mobile or land based telecommunication facilities will not be permitted on the property. No more than two (2) delivery-oriented fast food restaurants, i.e., whose primary service is providing off-site delivery, will be permitted on the site at any given time.
7. All businesses operating on site shall be advised of the need to comply with local, state, and federal laws pertaining to utilization of toxic or hazardous substances. Notice of said compliance requirements shall be provided in italicized print in every tenant's lease. Retail sales of auto supplies, dry cleaning establishments, wherein cleaning is done on-site, and businesses whose primary functions involve the routine use of large amounts of hazardous or toxic materials on the premises (other than materials used to clean said premises) shall not be permitted.
8. The Developer shall file a Proffered Condition Amendment to revise the PCA Plan if any portions of the right-of-way proposed for abandonment or vacation are disapproved by the Board of Supervisors, and this disapproval requires modifications to the PCA Plan which are beyond the scope of the minor modifications permitted by Zoning Administrator determination under Section 18-204 of the Zoning Ordinance.
9. The architectural treatment of the buildings on the Property shall be harmonious and compatible with architectural treatments now in place in Gunston Plaza. To this end, all building facades will be substantially composed of brick consistent with the composition ratio of Gunston Plaza. The shading of the brick will be similar to brick currently installed in Gunston Plaza. The architectural treatment of walls on the rear of the center shall be the same as the architectural treatment on the front of the center.
10. Architectural screening techniques will be utilized to screen air conditioning units and other rooftop mechanical equipment.

11. Dumpsters will be located in the rear of the center and screened from view with wooden fences and landscaping subject to the approval of DEM.
12. Parking lot lighting shall be directional and directed downward and inward so as to minimize glare on adjacent properties. A "carriage light" design shall be utilized for the light standards that are located at the entrances to the Subject Property.
13. All signs shall conform with the requirements of Article 12 of the Zoning Ordinance. No more than two (2) free-standing signs shall be established on-site. These free-standing signs shall be architecturally designed so as to be compatible with other signs in the center and with the architectural treatments of buildings on-site.
14. A mixture of plantings shall be provided so as to insure seasonal coloring and flowering on-site. To this end, flowering trees and other deciduous trees will be interspersed with evergreen trees and low-lying shrubs and flowers. The location and mixture of the tree plantings shall be subject to approval by the Urban Forester of Fairfax County and shall be in substantial conformance with the Landscape Plan, revised as of October 3, 1996. Subject to Urban Forester approval, no white pines shall be provided along the frontage of Route 1 or Lorton Road (Route 642). In the event any of the protected limits of clearing and grading areas are disturbed by grading and/or other related construction activities, the Developer shall replant or otherwise landscape said disturbed areas with an appropriate mix of vegetation according to the directions of the Urban Forester pursuant to the Public Facilities Manual. Subject to the approval of DEM, a landscaped garden, with a possible water feature, shall be located on-site near the intersection of Route 1 and Lorton Road (Route 642), as generally described on Exhibit "A" attached hereto, provided said garden does not interfere with the provision of stormwater management.
15. The maximum hours that any restaurant established on the site is open to the public for business shall be 6:00 A.M. to 12:00 midnight, seven (7) days per week.

BANK OF ALEXANDRIA, INC.

By:



Stephen P. Tees

Its:

President

Attachment

E:\DATA\CLIENT\04\04430\003\PROFS. CLN
1/24/97 4:08 pm



County of Fairfax, Virginia

MEMORANDUM

DATE: August 25, 2008

TO: Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Land Use Analysis and Environmental Assessment: SE 2007-MV-031 &
PCA 93-V-028-02
Lorton Corner, LLC

The memorandum, prepared by Jennifer Lai, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject Proffered Condition Amendment (PCA)/ Special Exception (SE) Plat as revised through July 30, 2008 and proffers as revised through August 11, 2008. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested.

DESCRIPTION OF THE APPLICATION

The applicant, Lorton Corner Road, has filed a proffered condition amendment to amend the Generalized Development Plan (GDP) and proffers approved with PCA 93-V-028 and a special exception to permit a drive-in bank and drive-through pharmacy on the 3.58 acre site located at the intersection of Lorton Road and Richmond Highway. A 4,100 square foot drive-in bank is proposed. The proposed drive-in pharmacy will have 10,940 square feet of retail space and a 4,000 square foot mezzanine space for merchandise storage. A 0.12 FAR is proposed. The maximum FAR allowed is 0.19 per PCA 93-V-028. A total of 103 parking spaces are proposed; this is also the amount of parking that is required. Staff calculates the open space proposed to be approximately 27%; 20% is required. Access points to the site are proposed from Richmond Highway and Lorton Road.

LOCATION AND CHARACTER OF THE AREA

The subject property is an approximately 3 acre site located north of Lorton Road, at the intersection of Lorton Road and Richmond Highway. The site is currently undeveloped. The following table lists the land uses surrounding the site:

Surrounding Area		
Direction	Existing Use	Comprehensive Plan
North	Multi-family (The Woods of Fairfax)	Residential; 5-8 DU/Acre
South	Multi-family (Woodside)	Residential; 5-8 DU/Acre
South	Vacant (Board of Supervisors)	Alternative Uses
East	Multi-family (The Woods of Fairfax Two)	Residential; 5-8 DU/Acre
West	Retirement Housing (Gunston Manor)	Retail & Other
West	Gunston Plaza	Retail & Other

COMPREHENSIVE PLAN CITATIONS:

Land Use

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Lower Potomac Planning District, LP2 Lorton-South Route 1 Community Planning Sector, as amended through October 23, 2006, Land unit E, Sub-Unit E4, on page 76, the Plan states:

“SUB-UNIT E-4

This sub-unit (Tax Map 108-3((1))2 and 3 ((2))2, 5 and 6) is planned for retail and related uses up to .25 FAR, as long as all the parcels in the sub-unit are consolidated. Absent full consolidation no development should exceed .15 FAR. Any development on the site should recognize site and access constraints. Auto-oriented uses are not appropriate, except as specified under the option below for drive-thru uses. Efficient circulation should be provided and curb cuts should be minimized. Buffering and screening of adjacent residential development should be provided. Dedication for the widening of Route 1 and Lorton Road should be provided with primary access to the site from Lorton Road. Secondary access may be provided from Route 1, but must be restricted to right turns in and out. Internal vehicular circulation and locations of entrances and median breaks should be arranged to minimize conflicts with traffic on the adjacent arterial roadways. As an option, Parcels 108-3((1))2, 3, 108-3((2))2, 5, 6 may be considered for public park.

As an option, a drive-in bank and a drive-thru pharmacy up to .15 FAR may be appropriate provided the following conditions are met:

- All parcels in the sub-unit are consolidated.
- Development should include no more than two separate buildings.
- Every effort should be made to orient buildings toward Richmond Highway and to avoid locating parking in front of buildings in order to create an attractive streetscape along Richmond Highway and to improve/enhance the visual image of this portion of Richmond Highway.
- Development includes appropriate landscaping to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District.
- Development includes landscaping in the right-of-way along Lorton Road where it intersects with Richmond Highway, if permission is granted by VDOT.
- All recommendations on transportation and buffering and screening for Sub-unit E4 are satisfied.”

Environment

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through December 3, 2007, on pages 17-19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.

- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

Policy b.

Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;

- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range.

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.

Policy e. Encourage energy conservation through the provision of measures which support non-motorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses."

Comprehensive Plan Map: Retail and Other

LAND USE ANALYSIS

The subject property is proposed to be developed under the option provided in the Comprehensive Plan for a drive-in bank and a drive-thru pharmacy up to .15 FAR if conditions are met regarding parcel consolidation, limitation on the number of buildings, orientation of the building, streetscape, landscaping, buffering and screening, and transportation. The proposal meets the basic Comprehensive Plan recommendation for land use and intensity. The proposal also conforms to the Plan conditions regarding parcel consolidation and limitation on the number of buildings. However, the development as currently proposal on the plan dated as revised through July 30, 2008 raises concerns about pedestrian and vehicular circulation, streetscape and landscaping, signage, and architecture. Specific concerns about these elements are noted below. In general, the overall layout should be improved. This might be achieved through the elimination and/or reduction and/or relocation of the proposed stormwater management and best management practice (SWM/BMP) facility. The applicant is strongly encouraged to consider the use of underground SWM/BMP facility, and/or low impact development measures.

The prominent location of the SWM/BMP facility may result in an undesirable aesthetic impact on Richmond Highway. An underground SWM/BMP facility also presents an opportunity to improve pedestrian connectivity and access from Gunston Manor to the southwest boundary of the site. Any SWM/BMP measure will be subject to the review and approval of staff in DPWES.

The applicant is strongly encouraged to align the buildings and site parallel to Route 1, thereby improving/enhancing the visual image of this portion of Richmond Highway. Good design layout may also be facilitated by a reduction in square footage of development and corresponding reduction in parking.

The option under the Comprehensive Plan recognizes the site's proximity to the historic Pohick Church. As such, any drive-thru uses on the subject property should be viewed as an opportunity to encourage development that respects the District and pertinent sections of the District guidelines as adopted by the Architectural Review Board, including standards for architecture, site planning and landscape design, and architectural design and style.

Issue: Pedestrian and Vehicular Circulation Pedestrian connectivity should be improved at the southwest boundary of the site to provide better access from Gunston Manor. Pedestrian connectivity should also be established between the bank and the pharmacy. It is suggested that the proposed buildings be shifted closer together and parking between the buildings be relocated to the rear of the buildings, resulting in the consolidation of parking to the western portion of the site. As an improvement, two five-foot wide sidewalks are being proposed on parking islands located between the buildings. Additional improvements include a proposed sidewalk spanning the full length of eleven parking spaces located at the eastern portion of the site adjacent to drive-in bank and proposed paint striped crosswalks across travel aisles.

Issue: Streetscape and Landscaping Development which includes drive-thru elements requires additional signage, paved surfaces, and building elements such as canopies. In order to protect the integrity and character of Pohick Church and the Pohick Church Historic Overlay District to the greatest extent possible, buffering and screening and landscaping of the proposed drive-thru uses should be provided.

Issue: Signage Item 9 in the proffers dated August 11, 2008 states, "Free-standing monument signs shall be architecturally designed so as to be compatible with the architectural treatment of the buildings on-site." While elevations of the pharmacy are provided, those of the bank are not shown. Therefore, it is not possible to evaluate the architectural design of the signs in relation to the architectural treatment of both structures. It is recommended that specific signage requirements outlined in the Pohick Church Historic Overlay District Design Guidelines, Standard 7 are considered. See page 9, Standard 7 for guidelines.

This issue remains outstanding.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development.

Issue: Green Building Design The applicant is seeking a change in use on a site located in the Lorton South-Route 1 Community Planning Sector. The Policy Plan recommends that developments which are seeking changes in use and are located in specially designated areas, such as the Lorton South-Route 1 Community Planning Sector, attain basic Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council or other comparable program with third party certification at a minimum.

The project should incorporate green building practices sufficient to attain basic LEED certification under the U.S. Green Building Council program. In support of attainment of LEED certification for the project, the applicant is encouraged to:

- Retain a LEED AP who is a professional engineer or architect licensed to practice in the Commonwealth of Virginia and will be a part of the project's design and construction team;
- Prior to approval of the site plan for the building, execute a separate agreement and post, for that building, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the
- Public Facilities Manual, in the amount of \$185,000. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the non-RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of County environmental initiatives.
- Include a list of specific credits within the most current version of a LEED rating system as part of the site plan and building plan submission; and
- Retain a professional engineer or architect licensed to practice in the Commonwealth of Virginia who will provide certification statements both at the time of site plan and building plan reviews confirming that the items on the list will meet at least the minimum number of points necessary to attain LEED certification of the project.

In order to ensure the long term viability of the green building measures, the applicant is encouraged to distribute a green building manual prepared by a LEED AP for use by all future building occupants. The manual at a minimum should:

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



- Provide a narrative description of each green building component, including a description of the environmental benefits of that component and including information regarding the importance of maintenance and operation in retaining the attributes of a green building;
- Provide, where applicable, product manufacturer's manuals or other instructions regarding operations and maintenance needs for each green building component, including operational practices that can enhance energy and water conservation;
- Provide, as applicable, either or both of the following: (1) a maintenance staff notification process for improperly functioning equipment; or (2) a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of green building-related equipment and the structure, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and
- Provide contact information that building occupants can use to obtain further guidance on each green building component.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map and the Public Facilities Manual specify trails be provided in the following locations adjacent to the subject property:

- Richmond Highway: 5 foot wide on-road bike lane, if frontage improvement is required.
- Richmond Highway (west side): 10 foot wide Type I (asphalt) trail within a minimum of 14-foot trail easement or VDOT right-of-way.

PGN: JCL

Applicable standards and guidelines from the Pohick Church Historic Overlay District Design Guidelines are as follows:

"GUIDELINES:

SITE PLANNING AND LANDSCAPE DESIGN

- 6.1 Reduce the number of curb-cuts by consolidating site access with shared, well-defined entries.
- 6.3 Define the edges between the roadway and development, particularly along Route 1 and Telegraph Road, with plantings and low walls. As an example, see how the church property is differentiated from the roadway.
- 6.4 Locate storage and service areas away from public view and screen them with plant materials and/or berms if necessary.
- 6.5 Avoid large expanses of parking lots by breaking them into smaller units, using the sides and rear of sites, and providing landscaping.

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ARCHITECTURAL DESIGN AND STYLE

- 6.10 Design new structures to be visually compatible with but not copy the historic style of Pohick Church.
- 6.12 Orient buildings to face the road; side elevations visible from the roadway should receive as much design attention as the primary façade.
- 6.13 Avoid large expanses of blank walls.

STANDARD 7 - Signage should not overwhelm approaches to or views of the Pohick Church and its site.

GUIDELINES:

- 7.1 Limit the height of freestanding signs to not more than 10 feet.
- 7.3 Incorporate freestanding sign into their site's landscape plan.
- 7.5 Minimize the size and number of both public and private signs.
- 7.8 Use external sources of illumination that do not spill beyond the sign."



County of Fairfax, Virginia

MEMORANDUM

DATE: July 25, 2008

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Jeremiah Stonefield, Chief, Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffer Condition Amendment Application, PCA 93-V-028-2,
concurrent with SE 2007-MV-031, Proffered Condition Amendment/
Special Exception for Lorton Corner, dated June 3, 2008 (Plat), Tax
Map #108-3-01-0002, 0003, 108-3-02-0002, 0005, 0006, and portion of
Lorton Road ROW (Site), Mount Vernon District

We have reviewed the Plat and draft Proffers dated June 10, 2008, and offer the following stormwater comments:

Chesapeake Bay Preservation Ordinance

There are no Resource Protection Areas (RPA) designated on the Site.

The proposed improvements are considered 'development' under the CBPO, and a minimum of 40% phosphorous removal is required. The SWM/BMP narrative on Sheet 6 refers to BMP computations on sheet 8. The BMP computations on Sheet 10 indicate 42% phosphorous removal will be provided.

Floodplain

There is regulated minor floodplain on the Site. The applicant proposes to construct 45" x 29" HECF to enclose the stream between the Route 1 twin 19x30 HECFs and the outlet pipe from the Woods of Fairfax development. The proposed culverts must be sized to comply with the floodplain regulations of Part 9 of Article 2 of the Zoning Ordinance.

Downstream Drainage Complaints

There are no relevant downstream complaints on file within the extent of review of the outfall for this Site.

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Land Development Services, Environmental and Site Review Division
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Stormwater Detention

The applicant indicates that the proposed on-site extended detention dry pond will be sized for the required volume. The principle and emergency spillway are combined and discharge into the proposed closed conduit storm sewer.

Site Outfall

The construction plans for the project will be subject to the amended PFM, ZO and Subdivision Ordinance concerning stormwater outfalls.

Other Comments:

The landscape plan must be revised to remove all vegetation (except grass) from the fill embankment or within 10' of the toe of fill or abutment contact, PFM 6-1606.2F. The top of dam is shown as 38.6'. Also, no trees are allowed within any of the County storm drainage easements, or within 5' of the easement, that contains the storm sewer pipe, PFM 12-0701.11B. Draft Proffer #11 indicates planting around the pond will be in accordance with the plan, subject to DPWES and UFMD approval. The landscape plan should reflect what can be approved.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Zoning Application file (9397-ZONA-001-4)



County of Fairfax, Virginia

MEMORANDUM

April 28, 2008

TO: St. Clair Williams, Staff Coordinator
Department of Planning and Zoning

FROM: Douglas Petersen, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Lorton Corner Road, LLC
PCA 93-V-028-2/SE 2008-MV-031

The Urban Forest Management Division (UFMD) staff has received the referenced plan from DPZ on April 21, 2008. Staff has reviewed the revised plan and proffers and based on that review UFMD has no further comments on this application at this time.

If you have questions regarding this review, or if another revision to the application is submitted, please contact Doug Petersen at 703-324-1770.

DAP/dap

cc: RA File
DPZ File

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County of Fairfax, Virginia

MEMORANDUM

December 10, 2007

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Douglas Petersen, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Lorton Corner, SE 2007-MV-031 & PCA 93-V-028-02

The Urban Forest Management Division (UFMD) staff has reviewed the referenced cases that were received by this office on November 9, 2007. The following comments and recommendations are provided as a result of that review.

The assemblage of properties is currently undeveloped and is wooded with a stand of primarily young trees, mostly red maple. As with the original approved Special Exception, no existing trees are proposed to be preserved on this site. Additionally, a reaffirmation of the granted modifications include the modification of the screening and waiver of the barrier along Richmond Highway, and the modification of the screening along the property boundary facing the Woods of Fairfax community. The tree canopy requirements of 10% are greatly exceeded through the extensive landscaping plans provided with the applications.

After reviewing the plans for this project, UFMD provides the following comments and recommendations related to the development of this site:

- 1. Comment:** The landscaping provided in the twelve-foot (12') wide transition yard facing the Woods of Fairfax is too crowded to ensure proper growth and survival. A two-thirds reduction in the transition yard requirements in favor of a seven foot (7') masonry wall is intended to apply to the number of trees, as well (Z.O. Article 13, Section 13-304.4).

Recommendation: Reduce the number of trees proposed to be installed in this area by a minimum of 50% to help ensure the proper growth and survival of the screening material. Even with this reduction of landscaping, the tree cover provided should be over twice that which is required.

- 2. Comment:** Two of the tree species listed in the Landscape/Plant Schedule are no longer recommended by this office; Bradford pear which is now considered an invasive plant and has a weak structure, and Flowering dogwood which is subject to a fatal anthracnose pathogen.

Recommendation: Replace the Bradford pear with either Chinese elm (*Ulmus parvifolia*) or Yoshino cherry (*Prunus yedoensis*) or similar species. Replace the Flowering dogwood with Kousa dogwood (*Cornus kousa*) or similar species.

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Lorton Corner Comments
SE 2007-MV-031 & PCA 93-V-028-02
December 10, 2007
Page 2

3. **Comment:** In the Landscape/Plant Schedule, some of the tree coverage areas are incorrect. The coverage for a 2" caliper Littleleaf linden is listed in the Public Facilities Manual (PFM), Table 12.7, as 150 square feet, not 200 square feet; the coverage for a 2" caliper Bradford pear is listed as 150 square feet, not 200 square feet (the substitute Chinese elm is 200 sf and Yoshino cherry is 150 sf); and the coverage for a 6' tall Austrian pine is 125 sf, not 75 sf.
Recommendation: Correct the coverage values as listed in the PFM, Table 12.7.

4. **Comment:** The tabulation for the required 5% interior parking landscaping has not been provided with the plan.
Recommendation: While the amount of interior parking lot landscaping appears to be more than adequate, provide the tabulation with the landscape plan or parking lot calculations.

If you have any questions regarding these comments, please contact me at 703-324-1738.

DAP/dap
UFMID #: 131866

cc: RA File
DPZ File

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County of Fairfax, Virginia

MEMORANDUM

DATE: May 5, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division

FROM: Angela Kadar Rodeheaver, Chief *AKR*
Site Analysis Section
Department of Transportation *by CAA*

SUBJECT: Transportation Impact

FILE: 3-4 (RZ 93-V-028; SE 2007-MV-031)

REFERENCE: PCA 93-V-028-02, SE 2007-MV-031; Lorton Corner Road L.L.C.
Traffic Zone: 1638
Land Identification: 108-3 ((1)) 2, 3; 108-3 ((2)) 2, 5, and 6

The following comments reflect the position of the Department of Transportation and are based on the development plan revised to April 16, 2008, and draft proffers dated April 18, 2008. The applicant is seeking modifications to the approved development plan for a retail center in order to develop the site with a bank and pharmacy. Both would be free standing buildings with drive through windows.

The applicant has addressed all concerns of this department. However it should be noted that VDOT is not supportive of the proposed access to the Woods of Fairfax entry drive. Access to this entry drive, which is located in public right-of-way, is supported by this department as it will allow site traffic access to the existing median break on Lorton Road. Note that this department would not object to approval of the application in the event that the access to the entry drive as noted above is not permitted by VDOT, and the site design is modified to eliminate this connection.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, DPW&ES

4-505 C-5 District Use Limitations

1. Fast food restaurants, drive-in financial institutions and quick-service food stores shall be permitted by right in accordance with the following:

A. Fast food restaurants without any drive-through facilities shall be permitted by right:

(1) When located in a shopping center, and the fast food restaurant does not occupy (a) more than 1500 square feet of gross floor area and (b) more than thirty-five (35) percent of the gross floor area of the building in which located; or

(2) When located in a shopping center of 25,000 square feet or more of gross floor area, the fast food restaurant may occupy more than 1500 square feet but not to exceed 2500 square feet of gross floor area, provided that the fast food restaurant does not occupy more than twenty-five (25) percent of the gross floor area of the building in which located.

B. Fast food restaurants, other than those permitted under Par. 1A above, drive-in financial institutions, and quick-service food stores shall be permitted by right when:

(1) Such use is located within a building of a shopping center, which building contains at least six (6) other uses which are not fast food restaurants, other than those permitted by Par. 1A above, drive-in financial institutions, or quick-service food stores; and

(2) All uses within that building are connected by party walls or partitions to form one continuous structure.

C. For all of the above, the shopping center and the building in which such drive-in financial institution, fast food restaurant, or quick-service food store is located shall be subject to an approved unified site plan. In addition, vehicular access to the use shall be provided only via the internal circulation system of the shopping center.

Drive-in financial institutions, fast food restaurants and quick-service food stores which do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

2. All business, service, storage, and display of goods shall be permitted only on the same lot with and ancillary to a permitted, special permit or special exception use. Except for 250 square feet of accessory outdoor storage and display in accordance with Sect. 17-104, the outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan. The outdoor storage and display of all goods shall be subject to Sect. 2-504

and shall be limited to goods that are customarily used outside such as fertilizers, peat moss, shrubbery, mulch and those goods permitted to be sold at a service station or service station/mini-mart.

3. All refuse shall be contained in completely enclosed facilities.

4. No separate business establishment shall occupy more than 6000 square feet of gross floor area, except one drugstore or other store of general merchandise may occupy up to 30,000 square feet, and a food supermarket may occupy up to 30,000 square feet of gross floor area.

5. All uses shall comply with the performance standards set forth in Article 14.

6. Except where expressly waived by the Director because of existing physical constraints, site configuration or safety considerations which would preclude strict compliance:

A. On a corner lot, no curb cut shall be located closer than sixty (60) feet to the curb line extended of the intersecting street.

B. No curb cut, except on a service drive, shall be located closer than twenty (20) feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent land uses be less than forty (40) feet.

C. Except where frontage is on a service drive, a freestanding use shall have no more than two (2) curb cuts on any single right-of-way, and such curb cuts shall have a minimum distance of forty (40) feet between them.

7. Offices shall be permitted only subject to the following:

A. The total gross floor area devoted to office shall not exceed thirty (30) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area ratio for the district; provided that an increase in office use up to fifty (50) percent may be permitted by the Board in accordance with the provisions of Sect. 9-515.

8. Kennels and veterinary hospitals shall be permitted by right when located within a completely enclosed building which is adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area. In addition, the Health Department shall approve the construction and operation of all veterinary hospitals prior to issuance of any Building Permit or Non-Residential Use Permit.

9. Quasi-public athletic fields and related facilities shall be permitted by right in accordance with the following:

A. Such use is not specifically precluded or regulated by any applicable proffered condition, development condition, special permit or special exception condition;

B. Such use shall be permitted on an interim basis for a period not to exceed five (5) years, provided, however, that upon request by the property owner, subsequent extensions of up to five (5) years each may be approved by the Board;

C. No structure or field shall be located within 100 feet of any adjoining property which is in an R district;

D. The use of lighting or loudspeakers for the athletic field or facility shall not be permitted;

E. Notwithstanding the provisions of Article 13, transitional screening shall not be required unless determined necessary by the Director;

F. Parking to accommodate such use shall be provided on-site. In the event such use is to be located on-site with another use, the Director may allow existing off-street parking to serve such use provided the hours of operation of the two uses do not coincide; and

G. There shall be a sign which identifies the athletic field as an interim use of the site. No such sign shall exceed thirty-two (32) square feet in area or be less than ten (10) square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet to any street line.

10. Drive-through pharmacies shall be permitted by right (a) when located on a lot which is not abutting or not across a local or collector street from residentially zoned land, which land is either developed with dwellings or vacant; (b) when the lot is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking; and (c) when there are adequate parking and stacking spaces for the use which are provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not meet these limitations may be allowed by special exception in accordance with the provisions of Article 9.

In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

9-006

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-503

Standards for all Category 5 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Banks, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts

1. In all districts where permitted by special exception:

A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line

2. In the C-3 and C-4 Districts, in addition to Par. 1 above:

A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an office building or office building complex containing not less than 35,000 square feet of gross floor area.

B. Such a use shall have no separate and exclusive curb cut access to the abutting highway.

C. There shall be no outside storage or display of goods offered for sale.

D. Service stations shall not include any ancillary use such as vehicle or tool rental, and shall be limited to the servicing and retail sales of products used primarily by passenger vehicles.

E. Service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

A. There shall be no outdoor storage or display of goods offered for sale except for the

outdoor storage or display of goods permitted at a service station or service station/mini-mart.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two hours.

4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:

A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:

A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.

B. In an I-3 or I-4 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station.

C. In an I-3 or I-4 District, service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).

E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.

6. In the PDH and PDC Districts, in addition to Par. 1 above:

A. In the PDH District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-106 and the following:

(1) Such use may be permitted only upon a finding by the Board that the planned development is of sufficient size to support the proposed use, and that the use is designed to serve primarily the needs of the residents of the development.

(2) Such use shall be designed and located so as to maintain the intended secondary nature of the use, and so that the associated impacts, including but not limited to associated on-site and off-site vehicular traffic, noise, odors, and visual impact, will not adversely affect the residential character of the development and surrounding properties.

(3) All direct vehicular access to the use shall be provided via the internal circulation system of a commercial area of the PDH development, which commercial area shall contain not less than three (3) non-automobile-related commercial establishments.

(4) The proposed development shall provide clearly designated pedestrian facilities for safe and convenient access from surrounding residential and commercial uses.

B. In the PDC District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-206.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screen

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sections 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dB(A): The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dB(A) value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area. Information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plan. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; it further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface to the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement is given a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		