



APPLICATION ACCEPTED: March 4, 2008  
APPLICATION AMENDED: May 14, 2008  
PLANNING COMMISSION: October 16, 2008  
BOARD OF SUPERVISORS: October 20, 2008 @ 4:30 PM

# County of Fairfax, Virginia

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October 1, 2008

## STAFF REPORT

**APPLICATIONS PCA 2004-SU-028  
(concurrent with SEA 2004-SU-027)**

### SULLY DISTRICT

**APPLICANT:** Penske Automotive Group, Inc

**PRESENT ZONING:** C-8, AN, and WS

**PARCEL(S):** 33-4 ((1)) 3B

**ACREAGE:** 9.26 acres

**FAR:** 0.17 (subject property)  
0.30 (entire property)

**OPEN SPACE:** 25%

**PLAN MAP:** Industrial

**SE CATEGORY:** Category 5: Vehicle Sale, Rental and Ancillary Service Establishment

**PCA PROPOSAL:** The applicant seeks to remove 9.26 acres from the previously approved rezoning (RZ 2004-SU-028) of 26.77 acres for the development of four (4) vehicle sale, rental and ancillary service establishments, to split an approved vehicle sale establishment on Tax Map 33-4 ((1)) 3B into two separate vehicle sale establishments, and to execute other minor site modifications. No increase in the previously approved overall FAR is proposed.

**SEA PROPOSAL:** The applicant seeks approval of an SEA application to permit two (2) vehicle sale, rental and ancillary service station establishments on the site.

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William O'Donnell

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



Staff recommends approval of PCA 2004-SU-028 subject to proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of SEA 2004-SU-027 subject to the development conditions found in Appendix 2 of this report.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the GDP/ SEA Plat.

It should be noted that it is not the intent of 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.

*O:\wodonn\ZED\PCA\Penske Auto Group\PCA 2004-SU-0028\_PenskeAutoGroup\_Staff\_Report\_Cover.doc*



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 2004-SU-028

Applicant: PENSKE AUTOMOTIVE GROUP, INC.  
Accepted: 03/04/2008 AMENDED 05/14/2008  
Proposed: ATO AMEND THE PROFFERS FOR RZ 2004-SU-028 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT VEHICLE SALE, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT AND ASSOCIATED MODIFICATIONS AND SITE DESIGN

Area: 9.26 AC OF LAND; DISTRICT - SULLY

Zoning Dist Sect: SOUTHWEST QUADRANT OF THE INTERSECTION OF STONECROFT BOULEVARD AND STONECROFT CENTER COURT

Located:

Zoning: C- 8  
Overlay Dist: AN WS  
Map Ref Num: 033-4- /01/ /0003B

# Special Exception Amendment

## SEA 2004-SU-027

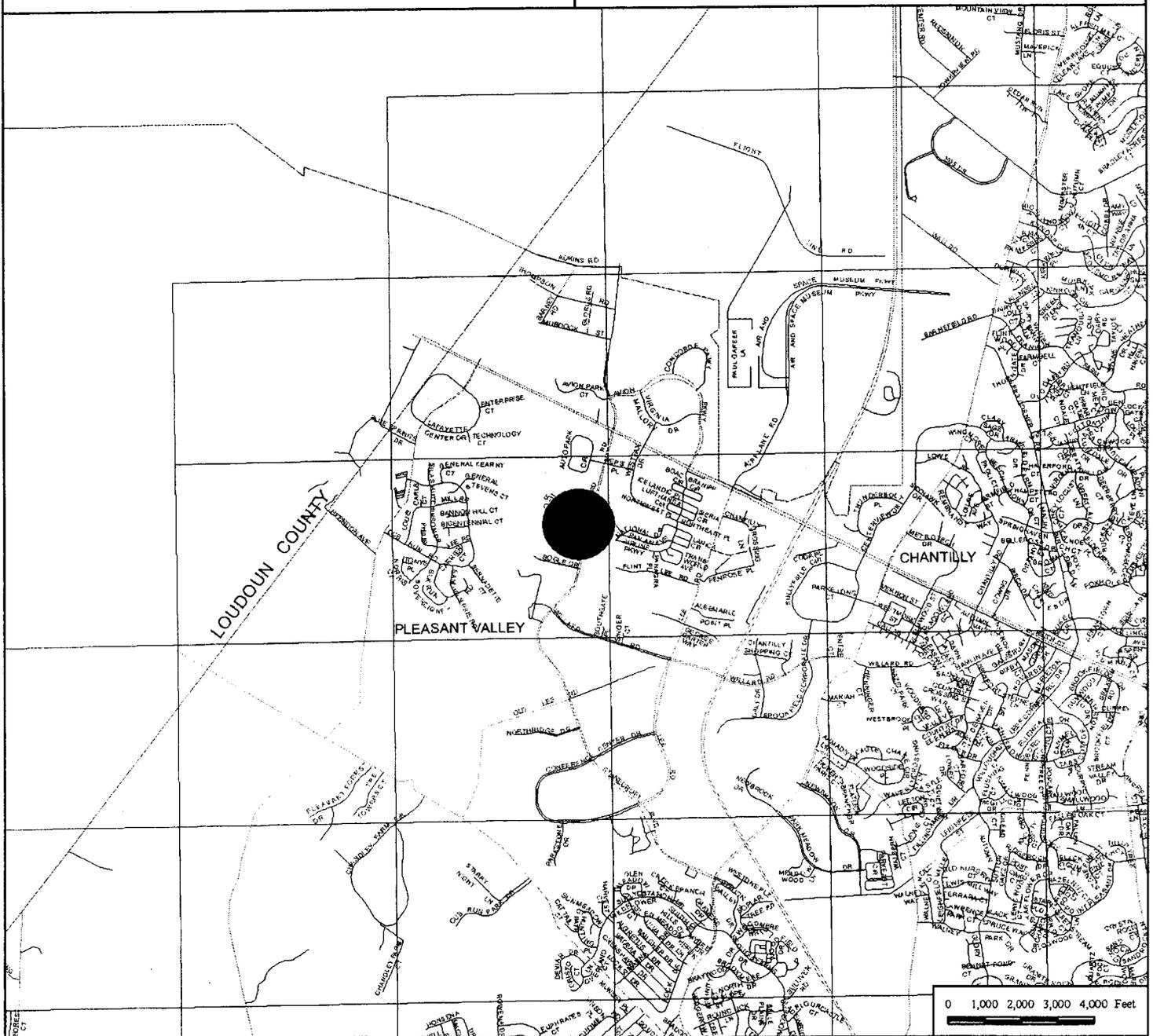
Applicant: PENSKE AUTOMOTIVE GROUP, INC.  
Accepted: 03/04/2008 AMENDED 05/14/2008  
Proposed: TO AMEND SE 2004-SU-027 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT AN ADDITIONAL VEHICLE SALES, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT AND ASSOCIATED MODIFICATIONS TO SITE DESIGN WITH NO INCREASE IN TOTAL FAR

Area: 9.26 AC OF LAND; DISTRICT - SULLY

Zoning Dist Sect: 04-0804  
Art 9 Group and Use: 5-25

Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF STONECROFT BOULEVARD AND STONECROFT CENTER COURT

Zoning: C- 8  
Plan Area: 3,  
Overlay Dist: AN WS  
Map Ref Num: 033-4- /01/ /0003B



# Proffered Condition Amendment

PCA 2004-SU-028

Applicant: PENSKE AUTOMOTIVE GROUP, INC.  
Accepted: 03/04/2008 AMENDED 05/14/2008  
Proposed: ATO AMEND THE PROFFERS FOR RZ 2004-SU-028 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT VEHICLE SALE, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT AND ASSOCIATED MODIFICATIONS AND SITE DESIGN

Area: 9.26 AC OF LAND; DISTRICT - SULLY  
Zoning Dist Sect: SOUTHWEST QUADRANT OF THE INTERSECTION OF STONECROFT BOULEVARD AND STONECROFT CENTER COURT  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF STONECROFT BOULEVARD AND STONECROFT CENTER COURT

Zoning: C- 8  
Overlay Dist: AN WS  
Map Ref Num: 033-4- /01/ /0003B

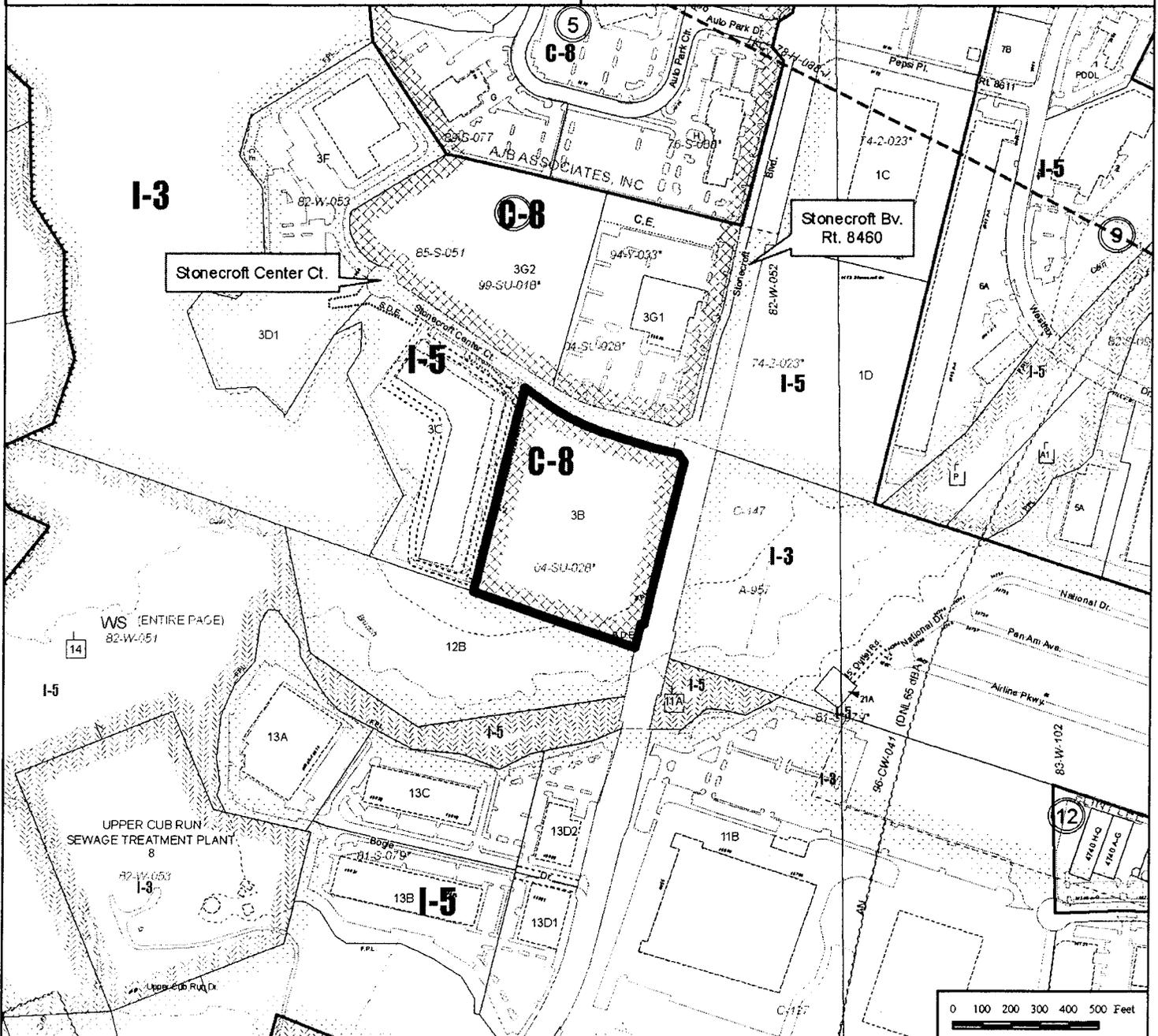
# Special Exception Amendment

SEA 2004-SU-027

Applicant: PENSKE AUTOMOTIVE GROUP, INC.  
Accepted: 03/04/2008 AMENDED 05/14/2008  
Proposed: TO AMEND SE 2004-SU-027 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT AN ADDITIONAL VEHICLE SALES, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT AND ASSOCIATED MODIFICATIONS TO SITE DESIGN WITH NO INCREASE IN TOTAL FAR

Area: 9.26 AC OF LAND; DISTRICT - SULLY  
Zoning Dist Sect: 04-0804  
Art 9 Group and Use: 5-25  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF STONECROFT BOULEVARD AND STONECROFT CENTER COURT

Zoning: C- 8  
Plan Area: 3,  
Overlay Dist: AN WS  
Map Ref Num: 033-4- /01/ /0003B



# PROPOSED DEALERSHIP PARCEL 3B STONECROFT BUSINESS PARK

## (SPECIAL EXCEPTION AMENDMENT PLAT-SEA-2004-SU-027) (PARTIAL PROFFERED CONDITION AMENDMENT PLAN)

[TO AMEND RZ #2004-SU-028]

### NOTES:

- OWNER: RESIDENTIAL STONECROFT FAMILY LLC  
1100 S GLEBE ROAD, MANCOTIA, VA 22044  
APPLICANT: PRINCE AUTOMOTIVE GROUP  
2555 TELEGRAPH ROAD, BIRMGHEAD HILLS, MI 48302
- THE PROPERTY SHOWN ON THIS PLAN IS DEDICATED ON PARCEL 3B TO THE USE OF A DEALERSHIP AND IS SUBJECT TO THE FAIRFAX COUNTY ZONING ORDINANCES AND A LOCAL ORDINANCE SUPPLY PROTECTION OVERLAY DISTRICT, AND THE WATER SUPPLY PROTECTION OVERLAY DISTRICT.
- THE PURPOSE OF THIS PLA IS TO AMEND THE BUILDING FOOTPRINT TO BE APPROVED WITH RZ #2004-SU-028 ON PARCEL 3B.
- A CATEGORY 5 SPECIAL EXCEPTION IS REQUIRED FOR VEHICLE SALES, RENTAL, & INCULCARY SERVICE ESTABLISHMENTS AND GARAGES.
- THE MAX. SITE AREA OF THE SITE IS 403,569 SQ. FT. (9.25 AC).
- REMARKS AND TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD SURVEY MADE BY THE FIRM, DATED JANUARY 2006. CONTOUR INTERVAL IS TWO FEET.
- THIS PROPERTY IS SPONSORED BY PUBLIC WATER AND SEWER BUREAU, AND THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- THE PROPERTY IS SUBJECT TO FEDERAL EASEMENTS HAVING A WIDTH OF 25 FEET OR MORE THAT HAVE BEEN SHOWN.
- THERE ARE NO SEENING ASSETS OR NATURAL FEATURES OF SIGNIFICANT VALUE OR INTEREST SHOWN ON THIS PLAN.
- THE PROPERTY IS LOCATED WITHIN THE STONECROFT BUSINESS PARK.
- THESE ARE NO COMMUNITY OR PUBLIC FACILITIES PROPOSED WITH THIS PLAN.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO UNRECORDED EASEMENTS, ENCUMBRANCES, OR LIENS ON THE SUBJECT PROPERTY.
- THE RESOURCE PROTECTION AREA (RPA) SHOWN HEREIN IS A CATEGORY 5 SPECIAL EXCEPTION AS REQUIRED BY THE AMENDMENT TO THE ZONING ORDINANCES AS ADDED BY THE BOARD OF SUPERVISORS IN 2003.
- A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT PLAN (FEMA) FLOOD HAZARD MAP (FIRM) PANEL #15502-02020, REISED MARCH 5, 1995, SHOWS THAT THE PROPOSED DEVELOPMENT IS NOT IN A FLOOD HAZARD AREA. THE PROPOSED DEVELOPMENT IS NOT IN A FLOOD HAZARD AREA AS DETERMINED TO BE WITHIN THE 100-YEAR FLOOD PLAIN.
- THERE ARE NO PROPOSED SPECIAL SERVICES FOR THIS PROPERTY.
- THERE ARE NO MAJOR SANITARY SEWER IMPROVEMENTS PROPOSED WITHIN THE PROJECT AREA.
- THIS APPLICATION PROCESS HAS NO ADVERSE IMPACT ON THE ADJACENT PROPERTIES WHICH ARE CURRENTLY DEVELOPED BY FARMHOUSE, OFFICES, AND CAR DEALERSHIPS.
- TRAILS SHOWN PER APPROVED GPP #RZ-2004-SU-028 AND CONFORM TO THE REQUIREMENTS ADOPTED IN THE Comprehensive Plan.
- FRONTAGE IMPROVEMENTS ALONG STONECROFT CENTER DRIVE (RTE 8460) WILL BE PROVIDED AS PART OF THE DEVELOPMENT OF RZ-2004-SU-028 (AND SUBSEQUENT DEVELOPMENT OF PARCEL 3A) AND WILL BE PROVIDED AS PART OF THE DEVELOPMENT OF PARCEL 3B. THE IMPROVEMENTS WILL BE PROVIDED AS PART OF THE COUNTY PROJECT #R1916. THESE ARE PROPOSED WITH THIS PLAN.

### MODIFICATIONS REQUESTED:

- INDICATION OF PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS ALONG THE WEST SIDE OF THE PROPERTY (SEE SHEET #1 AND #2).
- CONCEPTUAL LANDSCAPE PLAN (SHEET #1).

### PARKING TABULATION:

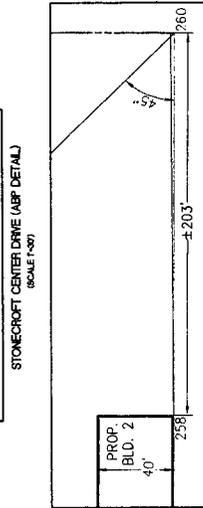
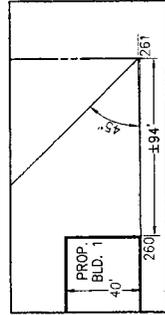
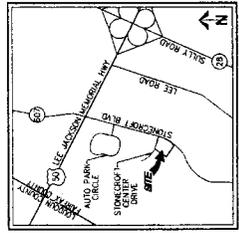
PARCEL 3B  
PROP. USE: VEHICLE SALES, RENTAL, AND INCULCARY SERVICE ESTABLISHMENT  
BUILDING #1  
PARKING REQUIRED:  
1. 15,000 SQ. FT. OF ENCLOSED SALES/RENTAL FLOOR AREA, PLUS  
2. 1 SP/500 SQ. FT. OF OPEN SALES/RENTAL DISPLAY LOT AREA, PLUS  
3. 1 SP/SERVICE BAY, PLUS  
4. 1 SP/EMPLOYEE  
ENCLOSED SALES/RENTAL FLOOR AREA = 45,000 SQ/7000 = 10 SPACES  
OPEN SALES/RENTAL DISPLAY LOT AREA = 13,700 SQ/7500 = 15 SPACES  
SERVICE BAYS = 16 X 2 = 32 SPACES  
EMPLOYEES = 40 SPACES  
TOTAL PARKING PROVIDED = 97 SPACES  
TOTAL PARKING REQUIRED = 97 SPACES

BUILDING #2  
PARKING REQUIRED:  
1. 15,000 SQ. FT. OF ENCLOSED SALES/RENTAL FLOOR AREA, PLUS  
2. 1 SP/500 SQ. FT. OF OPEN SALES/RENTAL DISPLAY LOT AREA, PLUS  
3. 1 SP/SERVICE BAY, PLUS  
4. 1 SP/EMPLOYEE  
ENCLOSED SALES/RENTAL FLOOR AREA = 45,000 SQ/7000 = 10 SPACES  
OPEN SALES/RENTAL DISPLAY LOT AREA = 13,700 SQ/7500 = 15 SPACES  
SERVICE BAYS = 16 X 2 = 32 SPACES  
EMPLOYEES = 40 SPACES  
TOTAL PARKING PROVIDED = 132 SPACES  
TOTAL PARKING REQUIRED = 132 SPACES

PARKING PROVIDED (WHOLE SITE) = 134 SPACES  
PARKING PROVIDED (WHOLE SITE) = 132 SPACES  
(RZ # 10)

### SHEET INDEX

- COVER SHEET
- EXISTING CONDITIONS PLAN/EXISTING VEGETATION MAP
- CERTIFIED PLAT
- APPROVED GPP/SE/PCA LAYOUT EXHIBIT
- GENERALIZED DEVELOPMENT PLAN/PROFFERED CONDITION AMENDMENT PLAN/SPECIAL EXCEPTION AMENDMENT PLAN
- CONCEPTUAL LANDSCAPE PLAN
- PRELIMINARY OUTCALL ANALYSIS/STORMWATER MANAGEMENT/BMP
- PROPOSED SITE DISTANCE PLAN/PROFILE
- PHOTOMETRIC PLAN
- BUILDING ELEVATIONS



### ZONING ORDINANCE TABULATION (FROM RZ #2004-SU-028 FOR ALL 26.77 ACRES)

ZONE: C-4, HIGHWAY COMMERCIAL  
OVERLAY DISTRICTS: AIRPORT NOISE & WATERBOD

MIN. LOT AREA	REQUIRED	PROFFERED
40,000 SF	40 FT	40 FT
MIN. YARD REQUIREMENTS:		
FRONT	40 FT	40 FT
REAR	N/A	N/A
SIDE	NONE	NONE
MAX. FLOOR AREA	20 FT	20 FT
MAX. FLOOR AREA PER ACRE	0.50	0.50
OPEN SPACE	15%	15%
TREE COVER	10%	10%

### ZONING ORDINANCE TABULATION (FOR THIS PCA, PARCEL 3B ONLY)

ZONE: C-4, HIGHWAY COMMERCIAL  
OVERLAY DISTRICTS: AIRPORT NOISE & WATERBOD

MIN. LOT AREA	REQUIRED	PROFFERED
40,000 SF	40 FT	40 FT
MIN. YARD REQUIREMENTS:		
FRONT	40 FT	40 FT
REAR	N/A	N/A
SIDE	NONE	NONE
MAX. FLOOR AREA	20 FT	20 FT
MAX. FLOOR AREA PER ACRE	0.50	0.50
OPEN SPACE	15%	15%
TREE COVER	10%	10%

### ZONING ORDINANCE TABULATION (FOR THIS PCA, PARCEL 3B ONLY)

ZONE: C-4, HIGHWAY COMMERCIAL  
OVERLAY DISTRICTS: AIRPORT NOISE & WATERBOD

MIN. LOT AREA	REQUIRED	PROFFERED
40,000 SF	40 FT	40 FT
MIN. YARD REQUIREMENTS:		
FRONT	40 FT	40 FT
REAR	N/A	N/A
SIDE	NONE	NONE
MAX. FLOOR AREA	20 FT	20 FT
MAX. FLOOR AREA PER ACRE	0.50	0.50
OPEN SPACE	15%	15%
TREE COVER	10%	10%

WALTER L. PHILLIPS  
INCORPORATED  
CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS  
307 PARK AVENUE FALLS CHURCH, VIRGINIA 22046  
(703) 522-6163 FAX (703) 523-1001  
WWW.WLPH.COM

SCALE: 1/8" = 1'-0"

DATE: 10/16/06

REVISION APPROVED BY: [Signature]

NO. [ ] REVISION [ ] DATE [ ]

NO.	REVISION	APPROVED BY	DATE

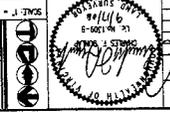
PARCEL 3B  
STONECROFT BUSINESS PARK  
SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA

COVER SHEET

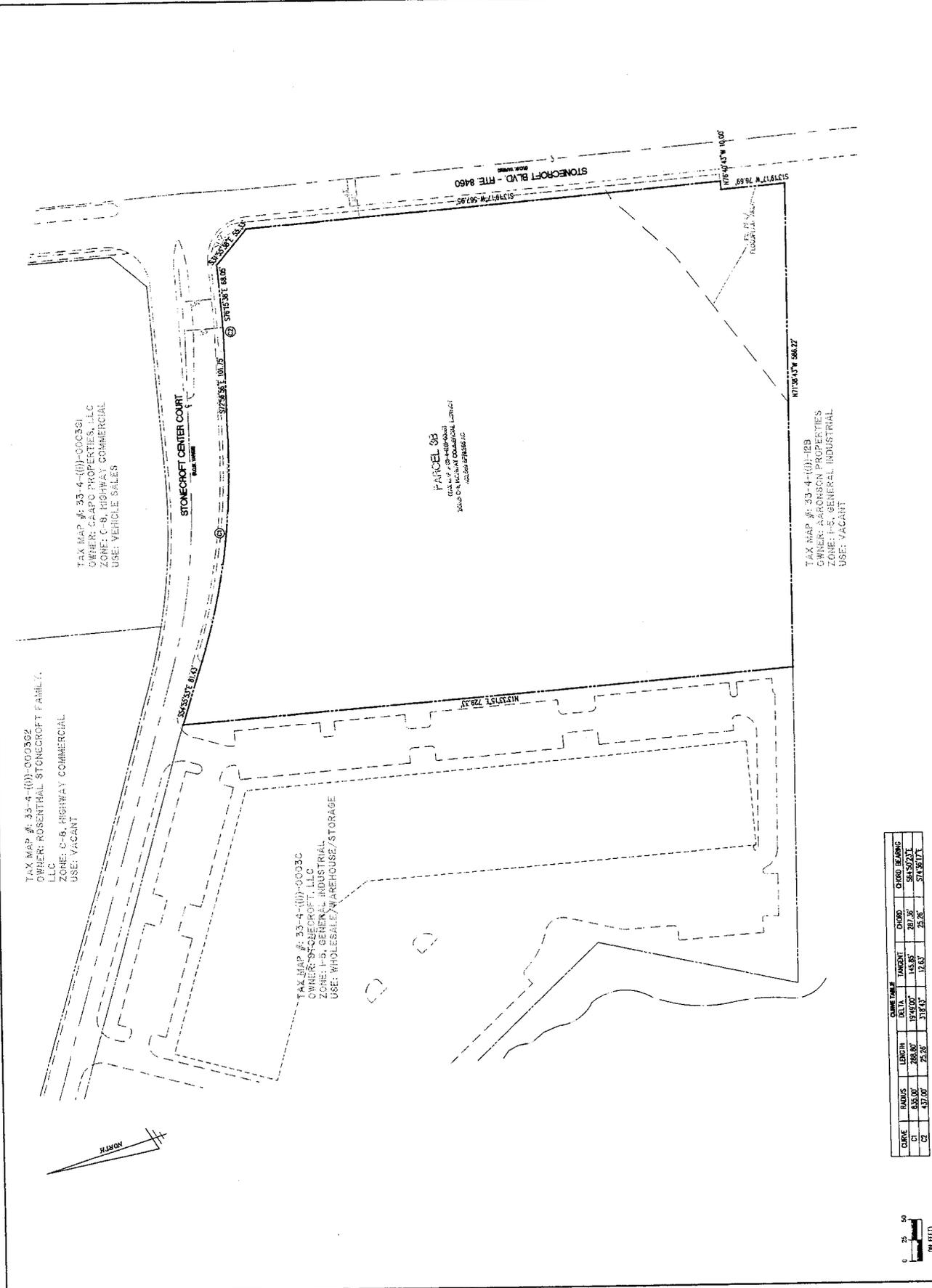


**CERTIFIED PLAT**  
**PARCEL 3B**  
**STONECROFT BUSINESS PARK**  
**SULLY DISTRICT**  
**FAIRFAX COUNTY, VIRGINIA**

REVISION APPROVED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 APPROVED \_\_\_\_\_  
 DATE \_\_\_\_\_  
 NO. \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_  
 DATE \_\_\_\_\_  
 APPROVED \_\_\_\_\_  
 DATE \_\_\_\_\_



SCALE: 1" = 50'  
 DATE: 12/17/24 REV: 5/17/24 REV: 6/14/24  
 207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046  
 WWW.WLMPC.COM  
 INCORPORATED  
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS  
**WALTER L. PHILLIPS**



CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C1	635.00'	288.80'	174°00'	145.85'	287.58'	S84.5021°E
C2	437.00'	25.95'	318.43'	17.63'	25.26'	S74.8517°E



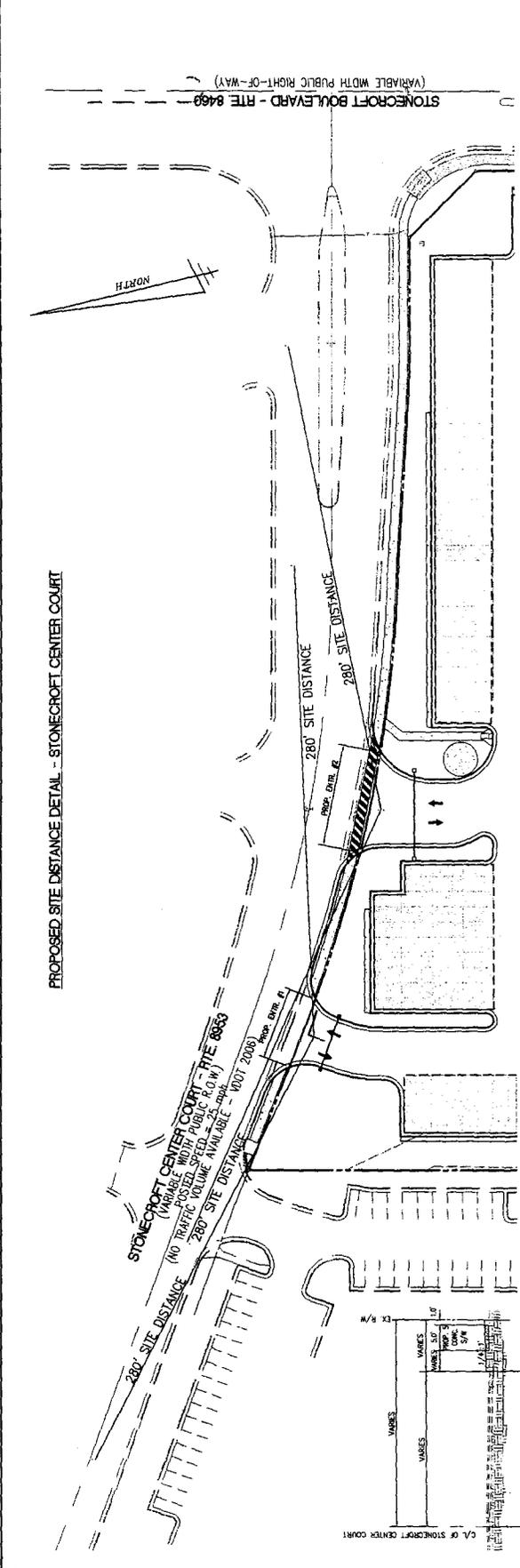








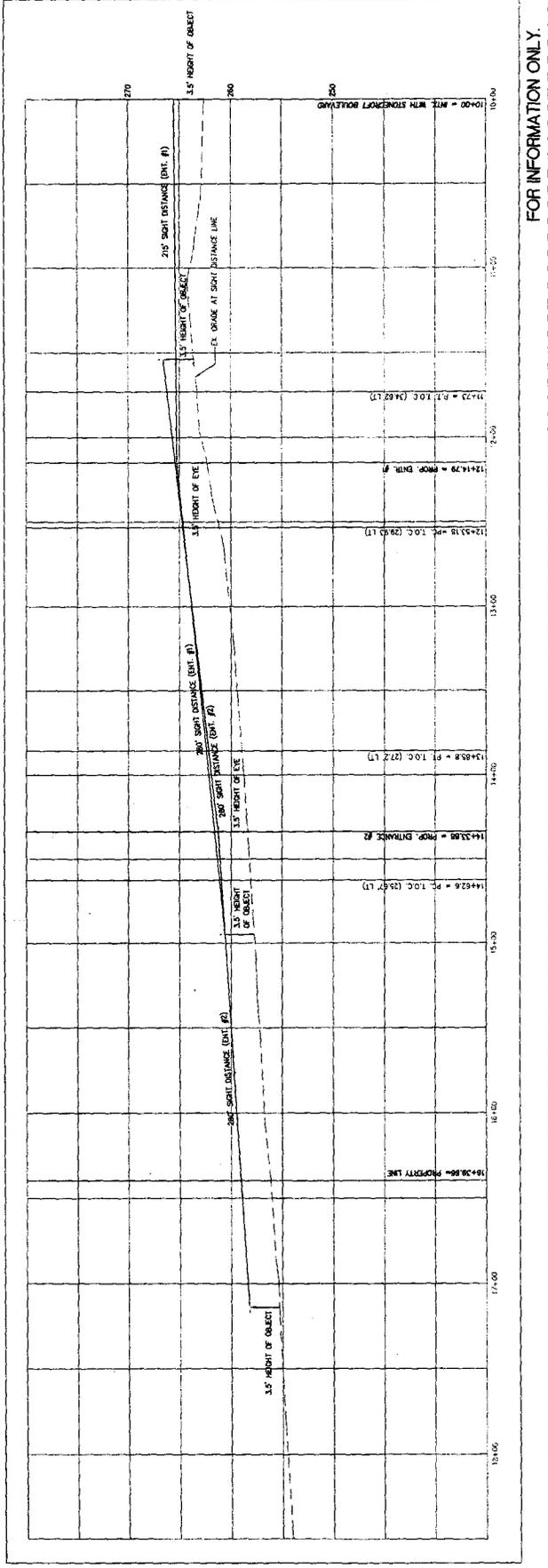
**PROPOSED SITE DISTANCE PLAN/PROFILE**



PROPOSED SITE DISTANCE DETAIL - STONECROFT CENTER COURT

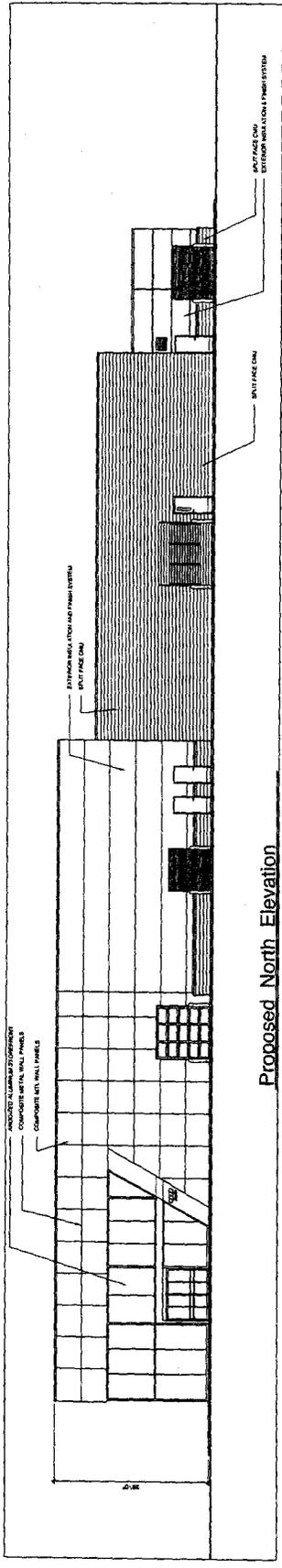
TYPICAL SECTION - STONECROFT CENTER COURT  
 (NO TRAFFIC VOLUMES AVAILABLE - ROUT 2006)  
 POSTING SPEED = 25 MPH  
 (EXISTING P/W VARIES)  
 N.T.S.

PROPOSED SITE DISTANCE PROFILE - STONECROFT CENTER COURT

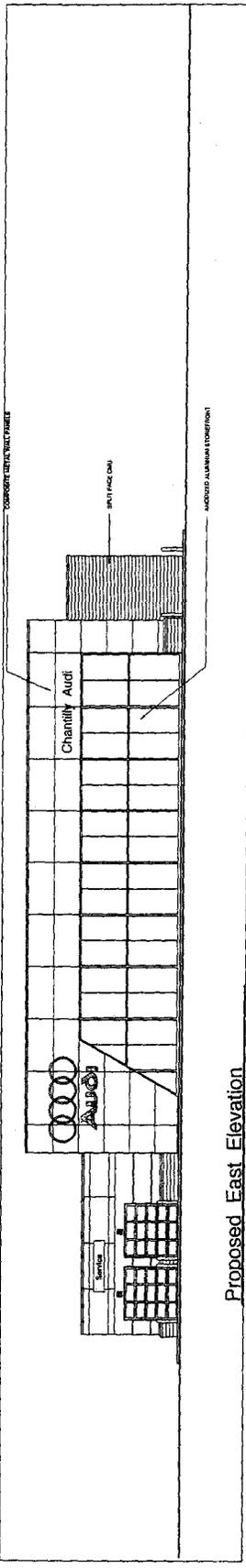


FOR INFORMATION ONLY.

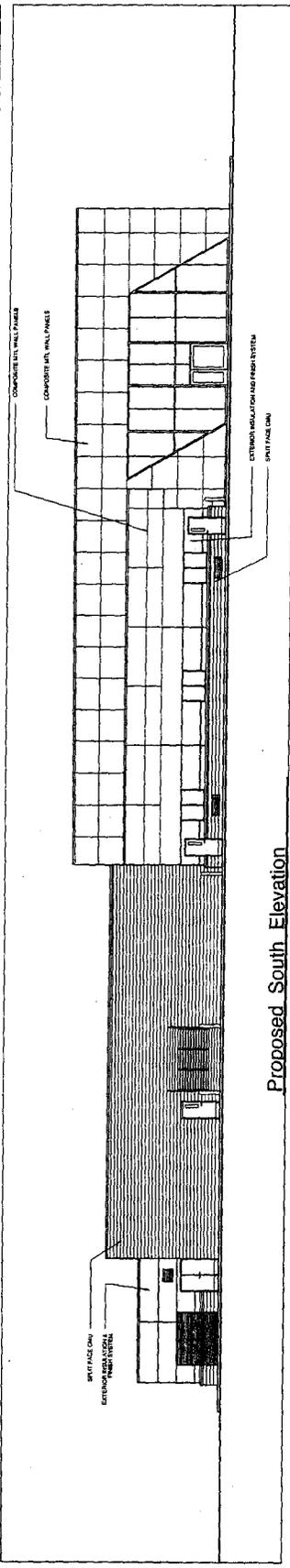




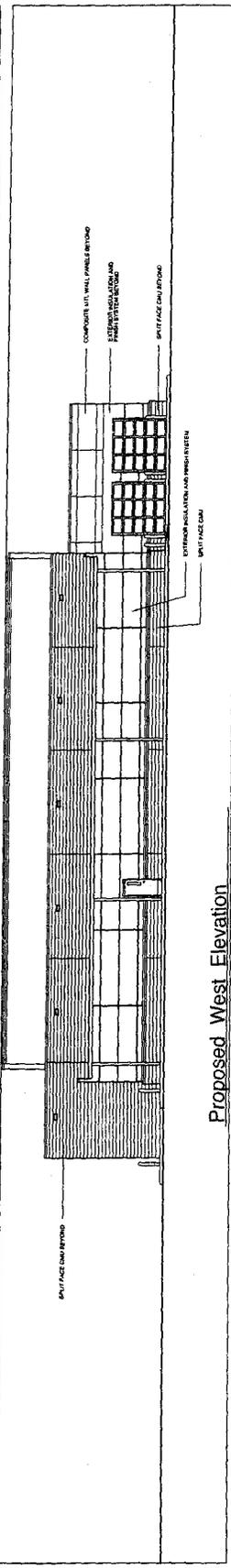
Proposed North Elevation



Proposed East Elevation



Proposed South Elevation



Proposed West Elevation

FOR INFORMATION ONLY.  
 ELEVATIONS ARE CONCEPTUAL AND MODIFICATIONS MAY BE  
 MADE SUBJECT TO FINAL ENGINEERING AND DESIGN.

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

**DESCRIPTION OF THE APPLICATION**

**Proposal:**

The applicant, Penske Auto Group Inc, seeks approval of a Proffered Condition Amendment (PCA) to remove 9.26 acres from the previously approved rezoning (RZ 2004-SU-028) of 26.77 acres previously approved for the development of a total of four (4) vehicle sale, rental and ancillary service establishments. According to the approved Generalized Development Plan (GDP), the 9.26 acre subject property is currently approved for a 70,000 gross square foot vehicle sales establishment on Tax Map 33-4 ((1)) 3B. The applicant proposes to split this establishment into two separate buildings; Building 1 consisting of 27,780 square feet and Building 2 consisting of 42,240 square feet. Building 1 is proposed to be located to the north of Building 2 and will contain an approximately 1,930 square foot car wash within the building structure. As a result, a total of five (5) vehicle sales establishments will be located on 26.77 acres of the RZ 2004-SU-028 property with two (2) of the vehicle sales establishments located on the 9.26 acre subject property. The FAR on the subject property is 0.17. The overall FAR on the 26.77 acres will remain at 0.30 FAR. Additional site modifications include changes to the approved vehicular circulation, parking and landscaping. The applicant is also requesting approval of a Special Exception Amendment (SEA) to permit the modified vehicle sale, rental and ancillary service establishment on the subject property.

Copies of the proffers, the SEA conditions, affidavit, and statement of justification for these applications are contained in Appendices 1, 2, 3, 4 and 5 respectively.

**Waivers & Modifications:**

- Modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the GDP/ SEA Plat

**LOCATION AND CHARACTER**

**Site Description:**

The subject property is located on Tax Map 33-4((1)) 3B on the west side of Stonecroft Boulevard at its intersection with Stonecroft Center Ct, approximately 1,500 feet south of Route 50. The site is currently vacant and contains basic infrastructure (roads, public utilities, SWM, sidewalks) and some landscaping installed from the previous industrial development. Site access is provided from

two access points from Stonecroft Center Ct. The site is generally a flat open field with long grasses, weeds and a few existing cedar trees. The following table provides a description of surrounding area.

**Surrounding Area Description**

Direction	Use	Zoning	Plan
North	Vehicle Sales (Dulles Auto Park)	C-8 C-8	Industrial
South	Vacant Flex Office Space	I-3 I-5	Industrial
East	Vacant Industrial	I-3 I-5	Industrial
West	Industrial (Wholesale/warehouse/storage)	I-5	Industrial

**BACKGROUND**

- On December 12, 1994, the Board of Supervisors approved concurrent applications RZ 94-Y-033 and SE 94-Y-038, rezoning 103.48 acres to the C-8 District and allowing the establishment of an auto sales park that included up to a maximum of 14 vehicle sale, rental and ancillary service establishments, an accessory child care center for customer and employee use, a fast food court consisting of up to five (5) fast food vendors, a service station, limited to gasoline service only, and a car wash. A waiver of certain sign regulations was also approved to permit a larger freestanding sign along Route 50.
- On July 26, 1999, the Board of Supervisors approved PCA 94-Y-033 to amend the proffers, Generalized Development Plan (GDP) and Special Exception Plat for the Dulles International Auto Park to permit deletion of 50.6 acres in the southern half of the auto sales park, and a revised site layout for the auto park; and SEA 94-Y-038 for multiple vehicle sale, rental and ancillary service establishments, a service station, car wash and a waiver of certain sign regulations. In addition, the Board of Supervisors approved a concurrent RZ 1999-SU-018 to rezone the deleted 50.6 acres from C-8 to I-5 to permit development of a business park for industrial, industrial/flex, and/or office uses, which resulted in the construction of the existing office building and mail facility.
- On February 7, 2005, the Board of Supervisors approved PCA 1999-SU-018 to amend the proffers for RZ 1999-SU-018 previously approved for industrial development at a 0.35 FAR to delete 26.77 acres to be rezoned per RZ 2004-SU-028. In addition, the Board of Supervisors approved RZ 2004-SU-028 concurrent with SE 2004-SU-027 to rezone 26.77 acres from I-5, WS, and AN to C-8, WS and AN districts to permit the development

of four (4) vehicle sale, rental and ancillary service establishments at an overall 0.30 FAR. SE 2004-SU-027 permitted the development of four (4) vehicle sale, rental and ancillary service establishments as a special exception in the C-8 District. ***A 9.26 acre portion of this area is the subject of the current PCA/SEA request. Proffers, SE development conditions and selected sheets from the GDP/SE Plat approved with this application are in Appendix 6. All of the approved proffers affecting the Application Property will remain in full force and effect and are not modified by the current application except where inconsistent, in which case the proposed proffers in the current application will supersede.***

### COMPREHENSIVE PLAN PROVISIONS (See Appendix 7)

<b>Plan Area:</b>	III
<b>Planning Sector:</b>	Dulles Suburban Center, Land Unit H
<b>Plan Map:</b>	Public Facilities, Government and Institutional
<b>Plan Text:</b>	

In the Fairfax County Comprehensive Plan, 2007 Edition as amended through August 8, 2007, Area III, Dulles Suburban Center, Land Unit H, the Plan states:

“Land Unit H contains approximately 880 acres and is unique in that existing development is predominantly industrial in character, although nearly 500 acres were vacant as of January 1992 (Figure 29). This land unit contains soft drink and beer bottling plants; a regional package shipping facility; and wholesale, warehousing and storage facilities. These and other similar uses generate considerable truck traffic on the local roads. In the Westfax Industrial Park, one mid-rise hotel has been built which is nominally on Route 50, but oriented to and accessed on Westfax Drive. Some industrial/flex uses exist, as well as some low-rise office development, particularly in the southeast corner of the land unit on Lee Road. A small amount of strip commercial development exists along Route 50.

### RECOMMENDATIONS

#### Land Use

1. Land Unit H is planned for industrial, research and development, and industrial/flex uses up to a maximum FAR of .35.”

Additional Plan text addressing urban design is set forth in Appendix 7 (Plan Citations and Land Use Analysis).

**ANALYSIS****Generalized Development Plan/Special Exception Amendment Plat**  
(GDP/ SEA Plat) (Copy at front of staff report)

**Title of GDP/ SEA Plat:** "Proposed Dealership Parcel 3B Stonecroft Business Park"

**Prepared By:** Walter L. Philips, Inc. and E.K. Fox and Associates

**Date:** Sheets 1 through 8 and Sheet 10 dated February 11, 2008 revised through September 17, 2008 (Walter L. Philips, Inc) and Sheet 9 dated July 25, 2008 revised through September 19, 2008 (E.K. Fox and Associates)

**Description of the plan:***Previously Approved GDP/SE Development Plan*

The following information is an excerpt from the Staff Report for PCA 1999-SU-018 concurrent with RZ 2004-SU-028 and SE 2004-SU-027, published on February 7, 2005, which provides background for the current PCA/SEA application.

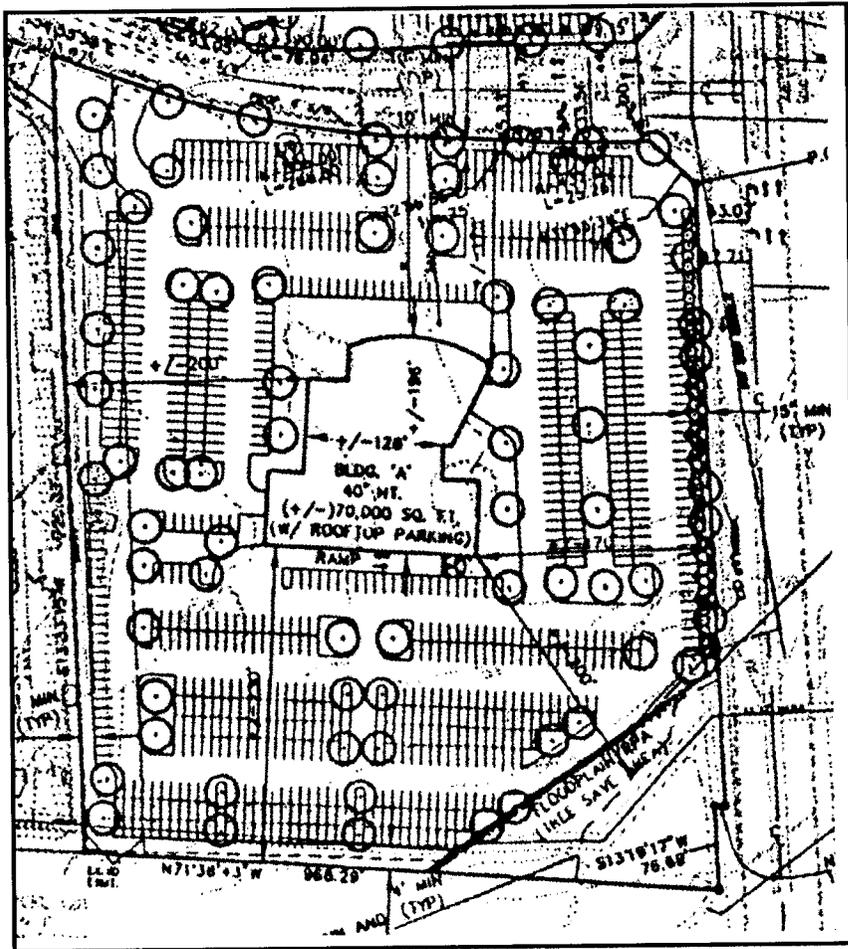
"Under the applicant's proposal, there would be four new dealerships constructed on the 26.77 acre site, three on the northern half of Stonecroft Center Court and one on the south side. The buildings are each proposed to be approximately 70,000 square feet in size (40 feet in building height with rooftop parking) resulting in approximately 280,000 gross square feet. The buildings would all front on Stonecroft Center Court. While the sides of two of the buildings will face Stonecroft Boulevard, there will be no service entrances on these elevations. An overall floor area ratio (FAR) of 0.30 is proposed with 23% open space."

*Proposed Changes*

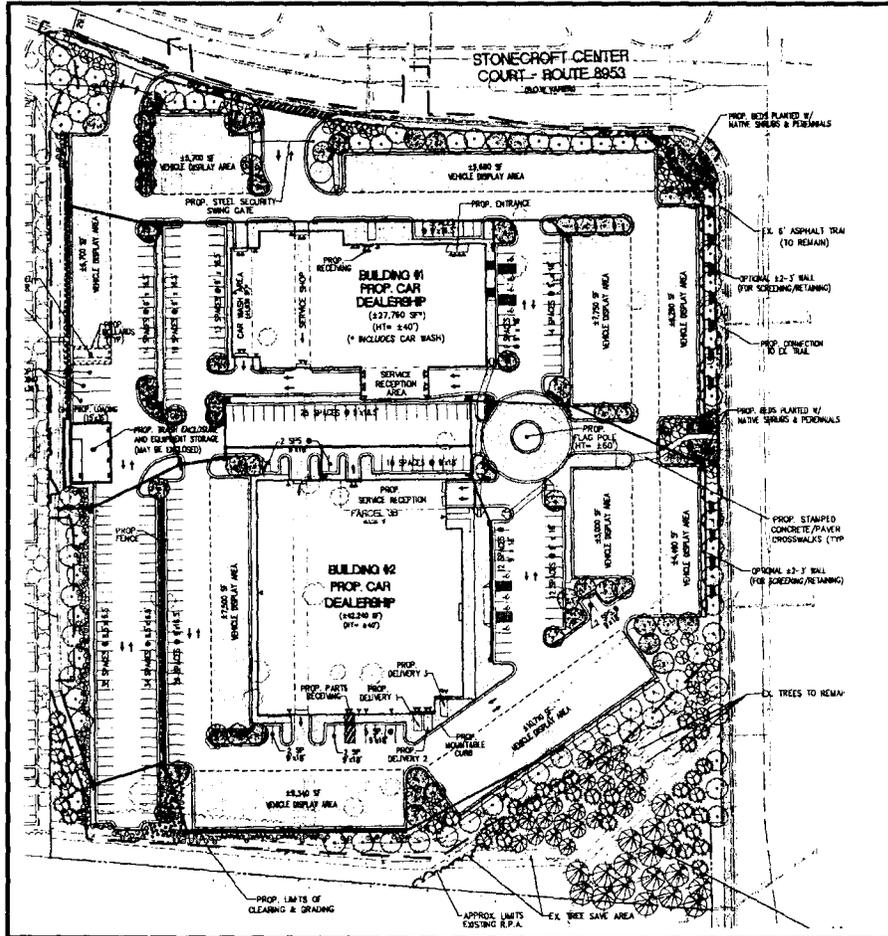
The current applications seek to remove 9.26 acres from the previously approved rezoning (Tax Map 33-4 ((1)) 3B) and to split the approved 70,000 gross square foot vehicle sales establishment into two separate buildings which each house a separate vehicle sales, rental establishment. Building 1 consists of 27,780 square feet and Building 2 consists of 42,240 square feet. Building 1 is proposed to be located to the north of Building 2 and will contain an approximately 1,930 square foot car wash within the building structure. The FAR for this application is 0.17 with no increase in the previously approved overall

0.30 FAR being proposed. Additional site modifications include changes to the approved vehicular circulation, parking and landscaping. The following graphics compare the approved GDP/SE Plat with the proposed changes in the GDP/SEA Plat.

**Previously Approved GDP/SE Plat**



### Proposed Change in GDP/SEA Plat



The proposed General Development Plan/Special Exception Amendment Plat (GDP/SEA Plat) consists of 10 sheets containing the following information.

<b>GDP/SEA Plat Proposed Dealership Parcel 3B Stonecroft Business Park</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 10	Cover Sheet: Sheet Index, Vicinity Map, Site Tabulations, Bulk Plane Angle Detail and General Notes
2 of 10	Existing Conditions: Existing Vegetation Map and Table, and the Curve Table
3 of 10	Certified Plat: Demonstrates the perimeter of subject property with a Curve Table
4 of 10	Approved GDP PCA 1999-SU-018/ RZ 2004-SU-028 and SE 2004-SU-027: Demonstrates the site characteristics for the previously approved GDP
5 of 10	GDP/PCA/SEA Plan: Shows building orientation and parking layout
6 of 10	Conceptual Landscape Plan
7 of 10	Outfall Analysis/SWM/BMP
8 of 10	Proposed Sight Distance Plan: Shows a sight distance of 280 feet for two entrances on Stonecroft Center Ct, which has a posted speed of 25 mph
9 of 10	Electrical Site Lighting Plan and Photometric Calculations: Photometric plan for the SEA site showing 30 foot tall Pole Mounted Lighting Fixtures and an Illuminance Summary with an average maintained lighting range between 25.25 and 30.07.
10 of 10	Building Elevations

**Layout:** As previously discussed, the applicant has proposed a modified layout on Tax Map 33-4 ((1)) 3B, which shows two buildings totaling 70,000 gross square feet instead of one single 70,000 square foot building shown on the approved GDP/SE Plat. The proposed buildings are located in the center of the subject property and are surrounded by a surface parking used for vehicle display and customers. Sheet 10 depicts an elevation of one of the two proposed buildings. The applicant has proffered to ensure that these proposed buildings will employ similar architectural styles, colors, and materials that were proffered in the previously approved vehicle sales establishments. A maximum of 40 ft. in building height is proposed for both buildings as permitted by the Zoning Ordinance and approved in the previous rezoning applications.

**Access:** The previous approval shows two access points from Stonecroft Center Court. The applicant proposes to retain the same number of access points but to shift the eastern access point to the west to align with the middle entrance of the existing Nissan dealership. No other changes are proposed.

**Parking:** The Zoning Ordinance requires a minimum of 194 parking spaces for both vehicle sales establishments. The applicant has provided 230 parking spaces, which exceeds the Zoning Ordinance by 36 spaces, and reaffirms a previous proffer commitment which indicated that no more than 3,200 parking spaces may be provided on the entire site of the previously approved GDP/SE Plat. A parking tabulation ensuring compliance with this proffer will be requested at the time of Site Plan Review.

Vehicle Display: Vehicle display areas are located around the perimeter of the site. The applicant has reaffirmed all previous proffer commitments for vehicle display areas, which indicate that all vehicles will be parked and displayed in designated parking and vehicle storage areas as indicated on the GDP/SEA Plat. Display of vehicles will occur at grade only; artificial elevation of display vehicles (such as rock piles or ramps) is prohibited by the approved proffers. Additionally, no parking or display of vehicles will be permitted along sidewalks or within landscaped or tree-save areas and there will be no test-driving of vehicles in landscaped areas.

Loading: The zoning ordinance requires four loading spaces for the proposed use. The applicant has provided four (4) loading spaces along the western boundary of the site. As previously stated, the applicant reaffirms the previously approved proffer commitments for loading spaces which indicate that loading and unloading of vehicles will occur within the limits of each individual dealership. The approved proffers prohibit loading and unloading along Stonecroft Boulevard or Stonecroft Center Court and require signage at the site entrances which state that loading and unloading is not permitted in these areas. In addition, the previously approved proffers require a representative of the vehicle sales establishment to direct trucks to the designated loading areas and to prepare a written policy to enforce these loading/unloading restrictions.

Pedestrian access: A six (6) foot wide paved trail exists along the Stonecroft Boulevard frontage and a four (4) foot wide sidewalk is proposed along the Stonecroft Center Court frontage.

Right-of-Way Dedication: No right-of-way dedication is requested with this application.

Tree Save: The site is mostly treeless with the exception of the southern boundary with the Cain Branch Resource Protection Area and Environmental Quality Corridor (RPA/EQC). The applicant proposes to designate the southeast corner of the site as a tree save area and to plant additional trees within the RPA/EQC to supplement the tree save area. Additionally, the applicant has proffered to an invasive plant removal plan for all areas shown on the development plans to be preserved through open space, tree preservation, reforestation and limits of clearing and grading. The plan will be submitted for review and approval by Urban Forest Management.

Landscaping & Open Space: A minimum of 15% open space is required for the site; 25% open space is provided. In addition, the applicant has proposed to plant a mix of deciduous and evergreen trees throughout the parking areas and around the perimeter of each building. The previous proffer commitments require a 15 percent minimum composite of tree coverage. The proposed

GDP/SEA Plat shows 15 percent tree coverage on the site. Final determination of tree coverage is subject to Urban Forest Management approval and will be made during Site Plan Review.

Streetscape will also be provided along Stonecroft Boulevard and Stonecroft Center Court frontage (street trees). Deciduous shade trees will be planted along a 15 ft. wide planting strip with alternating small shrubs. Two planting beds for native shrubs and perennials are also proposed along Stonecroft Boulevard. An optional 2 to 3 foot tall retaining wall is shown along Stonecroft Boulevard and to the west of the proposed street trees to provide additional screening and to reduce glare for drivers from the vehicle display area along Stonecroft Boulevard. A development condition has been written to ensure that the wall does not exceed 3 feet in height.

*Stormwater Management:* The applicant proposes to use the existing stormwater management/best management practices (SWM/BMP) facility located to the west of the subject property. With the original development of the industrial park, the site was designed and graded to drain to this facility. 8.31 acres of the 9.26 acre site will drain to this SWM/BMP Pond. The remaining 0.95 acres of the site will remain undisturbed and flow off the site as undetained sheet flow. This SWM/BMP pond will provide 50 percent phosphorus removal for the overall development.

#### **Land Use Analysis (Appendix 7)**

The applicant proposes to amend the proffers and the general development plan previously approved for a 70,000 gross square foot vehicle sales establishment on Tax Map 33-4 ((1)) 3B to permit two vehicle sales establishments at the same intensity as the previously approved single vehicle sales establishment. A proposed car wash is integrated within one of the two proposed buildings. The applicant provided building elevations as part of the GDP/SEA Plat and proffered to building materials that will be used for the buildings. No freestanding signs are proposed. Approximately 25 percent open space is proposed, above the 15 percent minimum open space requirement for the C-8 District. The landscape plan includes deciduous trees along the property's borders with Stonecroft Boulevard and Stonecroft Center Court and along the border shared with a warehouse facility. A 25 foot setback is proposed from Stonecroft Boulevard (referred to as Willard Road in the Comprehensive Plan) with street trees planted approximately 25 feet apart adjacent to the existing six foot wide asphalt trail. Planting beds with native shrubs and perennials are proposed at the corner of the two streets and along the property's frontage. The development plan shows that the RPA/EQC will be replanted with deciduous and evergreen trees. No significant land use issues were identified and the applicant carries forward all previous proffer commitments that apply to the subject property.

## **Environment Analysis** (Appendix 7)

### Green Building

Since approval of the initial rezoning for this case, a new environmental policy supporting green building practices has been approved. The subject property is located in a suburban center which is one of the specially designated areas of the county where applicants are strongly encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification. However, since this application is an amendment to a previous rezoning with limited changes, LEED certification is recommended, but other measures may be taken to ensure optimization of the development's energy performance. The applicant has proffered to several green building practices, including:

- Have a LEED accredited professional (AP) as a member of the design team who will work with the team to incorporate LEED design elements into the project;
- Include, as part of the building plan submission, a list prepared by the LEED-AP of specific practices that the applicant anticipates implementing in the project; and
- Create a green building maintenance reference manual to be used by future building occupants.

While the applicant has indicated that the proposed development will include green building practices, the applicant has not committed to attaining basic LEED certification. To ensure that the site's energy performance will be optimized, at a minimum, staff recommended that the applicant commit to providing appliances, fixtures, systems and building components that are ENERGY STAR qualified. These items are to include heating and cooling systems, vending machines, ceiling fans, ventilation fans, light fixtures, exit signs, programmable thermostats, windows and doors, skylights, computers, monitors, printers, laptops, fax machines, copiers, mailing machines, scanners, kitchen appliances, and televisions and other home electronic equipment that may be part of the proposed development. The applicant has proffered to most of these items, which are listed in Proffer 4(c) in Appendix 1.

### Water Quality

The subject property is located in the Cub Run watershed. A small portion of the property located in the southeastern corner is part of the Cain Branch RPA/EQC. This area appears to be properly delineated on the development plans and the limits of clearing and grading are outside of this protected area and the applicant proposes to plant additional trees within the RPA/EQC to supplement the existing tree save area.

**Issue: Limits of clearing and grading**

Staff is concerned that the limits of clearing and grading line as shown on the GDP/SEA Plat in the area where Stonecroft Boulevard intersects with the RPA/EQC is drawn immediately adjacent to the RPA/EQC and may lead to disturbance from construction. In addition, staff is concerned that the limits of clearing and grading as currently depicted on the south east corner of the site may prevent the proposed planting of additional trees within the RPA/EQC area.

**Resolution:**

A development condition has been written to shift the limits of clearing and grading 15 feet away from the existing RPA line shown on the southeast corner of the site to protect the RPA/EQC area from future disturbance. This condition also requires that the limits of clearing and grading be construed in a manner that allows planting of additional trees in the RPA area at existing grades and removal of invasive plant species specified in Proffer 5. In addition, a development condition has been written to require the recordation of a conservation easement for the RPA/EQC area shown on the GDP/ SE Plat.

**Existing Vegetation**

The site is mostly treeless, with the exception of the southern boundary within the Cain Branch RPA/EQC. The applicant proposed to plant trees along all four lot lines, in several planting strips throughout the parking areas and within the RPA/EQC. Urban Forest Management (UFM) reviewed this application and identified the following issues (Appendix 8):

**Issue: Tree Coverage Requirement**

Tree coverage may not be met at the time of Site Plan Review because many trees are shown to be planted in areas not meeting the minimum 8 foot wide planting area as specified in the Public Facilities Manual (PFM) Section 12-0702.1B(2).

**Resolution:**

The applicant has submitted new plans which show planting areas greater than 8 feet in width throughout the property and tree coverage tabulations that meet the PFM requirement. Final determination of tree coverage will be made by UFM at the time of Site Plan Review. The applicant will be required to demonstrate that all trees have a reasonable expectation to live and thrive for a minimum of ten years. If the proposed planting areas require additional changes during Site Plan Review, then the changes must be in substantial conformance with the GDP/SEA Plat or an additional SEA application may be required.

**Issue: Invasive Tree Species**

Staff believes that the site is over-run with noxious non-native and invasive tree and shrub species.

**Resolution:**

The applicant has proffered to an invasive plant removal plan for all areas shown on the development plans to be preserved through open space, tree preservation, reforestation and limits of clearing and grading. The plan will be submitted for review and approval by Urban Forest Management. This issue is now resolved.

**Transportation Analysis (Appendix 9)**

The Fairfax County Department of Transportation (FCDOT) reviewed the application and indicated that the applicant has addressed all previous concerns regarding the alignment of the proposed access points. See Appendix 9 for specific comments. In addition, staff indicated that, according to site plan requirements, an inter-parcel access agreement is required between the subject property and the adjacent property to the south (Tax Map 33-4((1)) 12B.) The applicant has proffered to provide a connection between the subject property and Tax Map 33-4((1)) 12B in the form of a recorded easement. In addition, the applicant has included an alternative to the connection easement which would include demonstration of common ownership between the subject property and Tax Map 33-4((1)) 12B in lieu of providing inter-parcel access. This proffer commitment satisfies staff's issue.

**Public Facilities Analysis***Fairfax County Park Authority (Appendix 10)*

The Fairfax County Park Authority reviewed the application and believes that the applicant should incorporate Low Impact Development and Natural Landscaping methods such as an open swale on the western property edge and the inclusion of hardwood trees along the southern edge of the property to prevent stormwater runoff impacts from the proposed parking lots. The applicant has provided hardwood trees along the southern edge of the property to extent possible without impacting the existing water line running along the southern boundary line and proposes to use an existing offsite pond located to the west of the subject property for stormwater detention and best management practices. Staff in the Department of Public Works and Environmental Services (DPWES) reviewed the application and had no issues with the proposed use of the pond (see analysis below and Appendix 11). The applicant has permission to use the existing SWM Pond (see Appendix 5). This issue will be further analyzed at Site Plan Review.

*Stormwater Analysis (Appendix 11)*

The Department of Public Works and Environmental Services (DPWES) reviewed the application and indicated that there is a Resource Protection Area (RPA) on the southeast corner of the site and that the subject property is located within the Water Supply Protection Overlay District (WSPOD). A phosphorous removal efficiency of 50 percent is required and no encroachment into the RPA shall be permitted. The applicant proposes to use the existing stormwater management/best management practices (SWM/BMP) facility located to the west of the subject property. With the original development of the industrial park, the site was designed and graded to drain to this facility. 8.31 acres of the 9.26 acre site will drain to this SWM/BMP Pond. The remaining 0.95 acres of the site will remain undisturbed and flow off the site as undetained sheet flow. This SWM/BMP pond will provide 50 percent phosphorus removal for the overall development. No issues were identified. No encroachment in the RPA area is proposed except for the removal of dead/dying trees and invasive non-native tree species, and the planting of additional trees at the existing grades.

*Fairfax County Water Authority (Appendix 12)*

The Fairfax County Water Authority has reviewed this application and has indicated that adequate domestic water service is available at the site from existing 12-inch and 8-inch water mains located at the property. No issues from the proposed development were identified.

*Fire and Rescue Analysis (Appendix 13)*

The property is serviced by the Fairfax County Fire and Rescue Department Station #415, Chantilly. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

*Sanitary Sewer Analysis (Appendix 14)*

The application property is located within the Cub Run Watershed, and would be sewered into the UOSA Treatment Plant. There is an existing 8-inch line located in Stonecroft Center Drive, approximately 50 feet from the property, which is deemed adequate for the proposed use at this time.

**ZONING ORDINANCE PROVISIONS (Appendix 15)**

In order to amend SE 2004-SU-027 to permit the modified vehicle sale, rental and ancillary service establishment on the 9.26 acre subject property, the request must fulfill all applicable provisions of the Zoning Ordinance. These sections are attached as Appendix 15 and include the General Standards (Section 9-006), Standards for all

Category 5 Uses (Section 9-503), and the Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments (Section 9-518), among others.

The following chart depicts how the subject 9.26-acre site meets the C-8 District zoning requirements:

Standard	Required (C-8)	Provided
Lot Size	40,000 square feet	9.26 acres
Lot Width	200 feet	>200 feet along Stonecroft Center Drive and Stonecroft Boulevard
Building Height	40 feet maximum	<40 feet
Front Yard	40 feet (based on an angle of bulk plane of 45 degrees for a 40-foot tall building)	±94 feet from Stonecroft Center Dr ±226 feet from Stonecroft Boulevard
FAR	0.50	0.173
Open Space	15%	25%
Parking Spaces	194 spaces	230*
Loading Spaces	4	4

*\* Proffer 5 from the previously approved proffers in Appendix 6 indicates that no more than 3,200 spaces may be allowed for the entire 26.77 acres of the previously approved GDP/SE Plat. A parking tabulation ensuring compliance with this proffer will be requested for this application at the time of Site Plan Review.*

As shown in the table above, the proposal conforms to all of the minimum bulk regulations for the C-8 District.

**Special Exception Requirements**

This section discusses how the application addresses the special exception requirements for a vehicle sale, rental and ancillary service establishment.

General Special Exception Standards (Sect. 9-006)

General Standard 1 states that the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan. As stated in the Land Use Analysis, staff believes the proposal is in harmony with the Plan. Staff is continuing to work with the applicant to refine the green building proffer commitments to meet the intent of the Green Building Policy.

General Standard 2 states that the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. The proposed future uses are in harmony with the general purpose and intent. Vehicle sale, rental and ancillary service establishments are permitted uses in the C-8 Zoning District. Therefore, this standard is satisfied.

General Standard 3 requires that 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. The applicant proposes to amend the proffers and the general development plan previously approved for a 70,000 gross square foot vehicle sales establishment on Tax Map 33-4 ((1)) 3B to permit two vehicle sales establishments at the same intensity. As previously stated, the proposed streetscape and landscaping along all four lot lines adequately screens the vehicles from the adjacent properties. Staff believes that this standard is satisfied. It is staff's opinion that the proposed location, coupled with the proposed landscaping, will not hinder future development of adjacent parcels.

General Standard 4 states that 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. Access is provided to the site via two access points from Stonecroft Center Drive. As previously stated, the applicant adjusted the alignment of these access points to comply with the Department of Transportation's request. Since this application modifies a previously approved application without increasing the intensity of the site, staff believes that there will not be conflicts with existing and anticipated traffic from adjacent properties. In addition, the existing sidewalks and proposed pedestrian connections provide adequate pedestrian access to the site. Staff believes that this standard has been satisfied.

General Standard 5 requires that landscaping and screening be provided in accordance with the provisions of Article 13. The proposed landscape plan is in conformance with Article 13 with respect to tree cover (including the tree save and the RPA area) and peripheral and interior lot landscaping. Staff believes that this standard has been addressed. Final determination will be made by Urban Forest Management at the time of Site Plan Review. The applicant will be required to demonstrate that all trees have a reasonable expectation to live and thrive for a minimum of ten years. If additional changes or tree plantings are required during Site Plan Review, then the proposed changes must be in substantial conformance with the GDP/SEA Plat or an additional SEA application may be required.

General Standard 6 requires that open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. The subject site is within the C-8 Zoning District, which requires 15% open space. The applicant proposes 25% open space.

General Standard 7 requires 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. Staff believes that the applicant has met or exceeded the requirements of the Zoning Ordinance.

General Standard 8 requires that signs 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. No freestanding signs are proposed. Building mounted signs will be subject to Article 12 of Zoning Ordinance. In addition, the applicant has proposed a 60 foot tall flag pole located between the two buildings on the east side of the property. Staff is concerned about the use of signage on the flag pole. A development condition has been written to ensure that any signage used on the flag pole is deducted from the allowable building mounted signage as specified in Par. 2E of Sect. 12-103 of the Zoning Ordinance, and that US and State flags are displayed in accordance with customary protocols. With the imposition of this development condition, staff believes that this standard is satisfied.

#### Standards for all Category 5 uses (Sect. 9-503)

Standard 1 for Category 5 Uses states that all uses shall comply with the lot size and bulk regulations of the zoning district in which located. The subject site is within the C-8 Zoning District. The proposed use complies with all of the bulk regulations of this zoning district.

Standard 2 for Category 5 Uses states that all uses shall comply with the performance standards specified for the zoning district in which located. The applicant has provided a photometric study of the proposed lighting which shows the use of Greenbriar Pole Mounted Fixtures. Sheet 9 of the SEA Plat shows a luminance average on the site of 25.25 and 30.07 foot candles. A development condition has been written to ensure that the proposed lighting is in conformance with Part 9 of Article 14 of the Zoning Ordinance. All other performance standards have been met.

Standard 3 for Category 5 Uses states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. With the implementation of the staff proposed development conditions, this standard is satisfied.

#### Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments (Sect. 9-518)

Additional Standard 1 requires that outdoor storage, parking and display areas shall be permitted only on the same lot with and ancillary to a sales room, rental

office or service facility, which shall be entirely enclosed on all sides. The GDP/SEA Plat shows that the subject property will have two sales facilities with perimeter vehicle storage and display. This standard has been met.

Additional Standard 2 states that the outdoor area devoted to storage, loading, parking and display of goods shall be limited to that area so designated on an approved special exception plat. Such areas shall not be used for the storage or display of vehicles that are not in operating condition. The applicant has provided four loading spaces on the GDP/SEA Plat as required by the Zoning Ordinance. In addition, the applicant reaffirms the previously approved proffer commitments for loading spaces which indicate that loading and unloading of vehicles will occur within the limits of each individual dealership. The approved proffers prohibit loading and unloading along Stonecroft Boulevard or Stonecroft Center Court and require signage at the site entrances which state that loading and unloading is not permitted in these areas. Staff believes that this standard has been met.

Additional Standard 3 states that notwithstanding the bulk regulations of the zoning district in which located, any such outdoor area that is located on the ground and is open to the sky may be located in any required yard, but not nearer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13. All structures shall be subject to the bulk regulations of the zoning district in which located, except structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line. The proposed surface parking along the site's frontage is set more than ten (10) feet back from the front lot line.

Additional Standard 4 states that all such uses shall be provided with safe and convenient access to a street. If any outdoor area is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual. Staff has determined that the proposed entrances and curb and gutter satisfy this standard.

Additional Standard 5 states that all outdoor areas, including aisles and driveways, shall be constructed and maintained with an approved surface in accordance with Par. 11 of Sect. 11 102, and shall be improved in accordance with construction standards presented in the Public Facilities Manual. The applicant will be required to demonstrate that these areas meet this requirement at the time of Site Plan Review.

Additional Standard 6 states that all lighting fixtures used to illuminate such outdoor areas shall be designed to comply with the performance standards,

related to glare, of the zoning district in which such facility is located. Such facilities shall not be lighted at any time other than during the same hours that the facility is open for business, except for necessary security lighting. As noted above, the applicant's has provided a photometric study of the proposed lighting which shows the use of Greenbriar Pole Mounted Fixtures. A development condition has been written to ensure that the proposed lighting is in conformance with Part 9 of Article 14 of the Zoning Ordinance. Imposition of this development condition will satisfy this standard.

Because the subject site is located in the C-8 Zoning District, Additional Standard 7 does not apply.

### **Overlay District Requirements**

#### Water Supply Protection (WSPOD)

The subject property is located within the Water Supply Protection Overlay District. The applicant proposes to use the existing stormwater management/best management practices (SWM/BMP) facility located to the west of the subject property. With the original development of the industrial park, the site was designed and graded to drain to this facility. This SWM/BMP pond will provide 50 percent phosphorus removal for the overall development. Additional trees will be planted in the RPA area located on the southeast corner of the site to help restore the natural characteristics of the resource protection area.

### **Summary of Zoning Ordinance Provisions**

With imposition of the proposed development conditions, the application has satisfied all applicable standards.

### **Waiver and Modifications**

#### Modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the GDP/ SE Plat

The Zoning Ordinance requires *at least one (1) tree for each fifty (50) feet shall be planted in the landscaping strip; however, this shall not be construed as requiring the planting of trees on fifty (50) foot centers*. The applicant requested a modification of this requirement to allow the planting of smaller shrubs along the northern portion of the western boundary due to the close proximity to an existing storm drainage easement. Staff believes that the overall site is adequately screened from the surrounding developments and supports the requested modification in favor of the proposed landscaping plan.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The application seeks to remove 9.26 acres from the previously approved rezoning (RZ 2004-SU-028) of 26.77 acres for the development of four (4) vehicle sale, rental and ancillary service establishments to split an approved vehicle sale establishment on Tax Map 33-4 ((1)) 3B into two separate vehicle sale establishments and to execute other minor site modifications. No increase in the previously approved overall FAR is proposed. The overall FAR on the 26.77 acres will remain at 0.30 FAR. The FAR for this proposal on 9.26 acres will be 0.17. Staff believes that the proposal does not adversely impact the previously approved general development plan and is conformance with the Comprehensive Plan, and with all applicable Zoning Ordinance provisions as proffered and conditioned.

### **Staff Recommendations**

Staff recommends approval of PCA 2004-SU-028 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of SEA 2004-SU-027 subject to the development conditions found in Appendix 2 of this report.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the GDP/ SEA Plat.

It should be noted that it is not the intent of 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.

## **APPENDICES**

1. Proffers for PCA 2004-SU-028
2. Proposed Development Conditions SEA 2004-SU-027
3. Affidavit for PCA 2004-SU-028
4. Affidavit for SEA 2004-SU-027
5. Statement of Justification
6. Previously approved Proffers for RZ 2004-SU-028; approved reduction of the GDP/SE Plat; and Previously Approved Development Conditions for SE 2004-SU-027

7. Comprehensive Plan Land Use Analysis & Environmental Assessment
8. Urban Forest Management Analysis
9. Transportation Analysis
10. Fairfax County Park Authority
11. Stormwater Management Analysis
12. Fairfax County Water Authority
13. Fire and Rescue
14. Sanitary Sewer Analysis
15. Zoning Ordinance Provisions
16. Glossary

**PROFFERS****Penske Automotive Group, Inc.****PCA 2004-SU-028****September 22, 2008**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Penske Automotive Group, Inc. (hereinafter referred to as the "Applicant") for itself, the owners, and successors and assigns, in PCA 2004-SU-028, filed on property identified as tax map 33-4 ((1)) 3B (hereinafter referred to as the "Application Property"), hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves PCA 2004-SU-028. All other existing proffers affecting the Application Property shall remain in full force and effect and are not modified by these proffers except where inconsistent, in which case these proffers shall supersede.

**1. GENERAL**

Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance"), development of the Application Property shall be in conformance with the Generalized Development Plan ("GDP") prepared by Walter L. Phillips dated February 11, 2008 and revised through September 17, 2008. Minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to modify the layout shown on the GDP at time of site plan based on final design provided that there is no decrease in the amount and location of open space, landscaping, or distances to peripheral lot lines as dimensioned on the GDP.

**2. ARCHITECTURE**

a. The materials used for the buildings on the Application Property shall include split face block, concrete masonry unit, metal panels, glass, and exterior insulating finish system (EIFS).

b. Vehicular service entrances located on Stonecroft Boulevard will be appropriately screened from Stonecroft Boulevard by vehicle display areas and landscaping as shown on sheet 6 of the GDP.

**3. OUTDOOR LIGHTING**

All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance and shall maintain a maximum lighting level of 30 foot-candles.

4. GREEN BUILDING PRACTICES

- (a) The Applicant shall include a U.S. Green Building Council Leadership in Energy and Environmental Design (“LEED”) accredited professional as a member of the design team who will work with a professional engineer or architect licensed to practice in the Commonwealth of Virginia as a member of the design team. The LEED accredited professional shall work with the team to incorporate LEED design elements into the project. At the time of building plan submission, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.
- (b) The Applicant shall include, as part of the building plan submission, a list prepared by the LEED accredited professional of specific practices that the Applicant anticipates implementing in the project.
- (c) All appliances, fixtures, systems and building components used in the project, as applicable, shall be ENERGY STAR qualified: heating and cooling systems; vending machines; ceiling fans; ventilation fans (including kitchen and bathroom fans); programmable thermostats; skylights; computers; monitors; laptops; fax machines; copiers; scanners; televisions and other home electronics equipment such as videocassette recorders and DVD players; refrigerators/freezers; dishwashers; clothes washers. Prior to issuance of the first Non-RUP, the applicant will submit to the Environment and Development Review Branch of DPZ, certification of compliance with this commitment. Records of compliance shall be maintained for review and inspection by County Staff.
- (d) Prior to issuance of the first Non-RUP, the Applicant shall provide to the Environment and Development Review Branch of DPZ a letter from the LEED accredited professional certifying that a green building maintenance reference manual has been prepared for use by future building occupants that this manual has been written by a LEED accredited professional, that copies of this manual shall be provided to all future building occupants and that this manual, at a minimum:
  - Provides 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;
  - Provides, where applicable, the on-site location of the 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;

- Provides, as applicable, 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
- Provides contact information that building occupants can use to obtain further guidance on each green building component.

Prior to issuance of a Non-RUP, the Applicant shall provide an electronic copy of the manual in PDF format to the Environment and Development Review Branch of DPZ.

#### 5. INVASIVE PLANT REMOVAL

An invasive plant removal plan for all areas shown to be preserved through open space, tree preservation, reforestation and limits of clearing and grading shall be submitted for review and approval by the Urban Forestry Division. The removal plan shall incorporate recommended government and industry methods and practices for removal of invasive/alien plants.

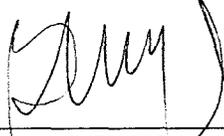
#### 6. INTERPARCEL ACCESS

At such time when the property identified as 33-4 ((1)) 12B ("Parcel 12B") has been recommended for site plan approval, the Applicant shall demonstrate a connection between the Application Property and Parcel 12B in the form of a recorded easement. Alternatively, the Applicant shall demonstrate a common ownership, or its equivalent in the form of a long-term lease, of Parcel 12B, in lieu of providing any interparcel access between the Application Property and Parcel 12B.

**[SIGNATURES BEGIN ON THE FOLLOWING PAGE]**

APPLICANT/LESSEE OF TAX MAP 33-4 ((1)) 3B

PENSKE AUTOMOTIVE GROUP, INC.

A handwritten signature in black ink, appearing to read "Bernard W. Wolfe", written over a horizontal line.

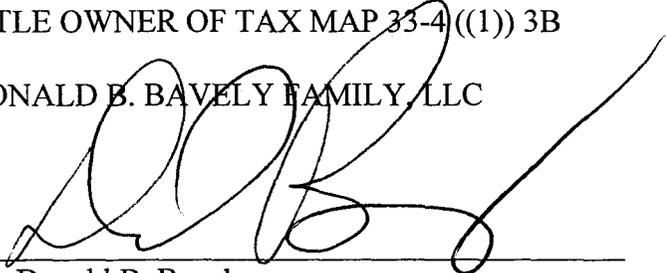
By: Bernard W. Wolfe

Its: Executive Vice President – East Operations

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 33-4((1)) 3B

DONALD B. BAVELY FAMILY, LLC



---

By: Donald B. Bavely  
Its: Managing Member/President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 33-4 ((1)) 3B

ROSENTHAL STONECROFT FAMILY, L.L.C.



---

By: Robert M. Rosenthal

Its: Managing Member/President

[SIGNATURES END]

**PROPOSED DEVELOPMENT CONDITIONS**

SEA 2004-SU-027

October 1, 2008

If it is the intent of the Board of Supervisors to approve SEA 2004-SU-027 located on Stonecroft Center Drive (Tax Map 33-4((1)) 3B) previously approved pursuant to SE 2004-SU-027 for the development of a vehicle sale, rental and ancillary service establishments pursuant to Sect. 4-804 of the Fairfax County Zoning Ordinance to permit a proposed split of the approved vehicle sale building into two separate buildings, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward from previous approval are marked with an asterisk\*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. 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.\*
3. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.\*
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled "Proposed Dealership Parcel 3B Stonecroft Business Park", with Sheets 1 through 8 and Sheet 10 prepared by Walter L. Philips, Inc and dated February 11, 2008 revised through September 17, 2008 and Sheet 9 prepared by E.K. Fox and Associates and dated July 25, 2008 revised through September 19, 2008, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The height of the flagpole shall be limited to the height indicated on the GDP/SEA Plat. No device or ornamentation other than an ornamental ball shall be affixed to the top of the flag pole. In addition, a maximum of three (3) flags may be flown on the flagpole as specified in

Section 12-103 Paragraph 2E of the Zoning Ordinance. Display of American and Commonwealth of Virginia flags shall follow customary guidelines outlined in the United States Code Title 4 Chapter 1.

6. All signs shall conform to Article 12 of the Zoning Ordinance. A corporate emblem may be permitted on the flagpole shown on the GDP/SEA Plat, but the emblem area shall be deducted from the permitted area of any building-mounted signs as specified in Section 12-103 Paragraph 2E(2) of the Zoning Ordinance.
7. Parking shall be provided in accordance with the Zoning Ordinance and consistent with the tabulations for parking on the GDP/SEA Plat subject to DPWES approval. A parking tabulation showing conformance with Proffer 5 of the previously approved proffers in RZ 2004-SU-028, which indicates that no more than 3,200 spaces may be provided on Tax Maps 33-4((1)) 3B, 3G-1 and 3G-2, shall be provided to DPWES at Site Plan Review. Handicapped parking shall be provided in accordance with Code requirements. All parking spaces shall be of a size and the aisles of a width which will meet the Zoning Ordinance requirements and the Public Facilities Manual standards as determined by DPWES and all parking shall be on site.
8. In order to protect the RPA/EQC area from accidental disturbance during construction, the limits of clearing and grading shown on the southeast corner of the site shall be shifted approximately 15 feet northwest of the existing RPA line as determined by Urban Forest Management. In addition, the limits of clearing and grading shall be construed in a manner that allows planting of additional trees in the RPA area at existing grades and removal of invasive plant species specified in Proffer 5.
9. A conservation easement shall be recorded for the RPA/EQC area shown on the GDP/SEA Plat.
10. Retaining walls shall be constructed at the minimum height necessary as determined by Department of Public Works and Environmental Services (DPWES). In no instance shall the retaining wall shown to the west of Stonecroft Boulevard and to the east of the eastern vehicle display areas be more than three feet (3') in height.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 himself responsible for obtaining the required 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 exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. 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: June 13, 2008  
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/agent, 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

993926

in Application No.(s): PCA 2004-SU-028  
 (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 <b>BOLD</b> above)
Penske Automotive Group, Inc. f/k/a United Auto Group, Inc.	2555 Telegraph Road Bloomfield Hills, MI 48302-0954	Applicant/Lessee of Tax Map 33-4 ((1)) 3B
Agents: Roger S. Penske, Jr. (former) Robert F. Farrell Bernard W. Wolfe		
Rosenthal Stonecroft Family L.L.C.	1100 S. Glebe Road Arlington, VA 22204	Co-Owner of Tax Map 33-4 ((1)) 3B
Agents: Jerry H. Griffin Donald B. Bavely Robert M. Rosenthal		

(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: June 13, 2008  
(enter date affidavit is notarized)for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

993926

**(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.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Donald B. Bavely Family, L.L.C.  Agents: Jerry H. Griffin Donald B. Bavely Robert M. Rosenthal	1100 S. Glebe Road Arlington, VA 22204	Co-Owner of Tax Map 33-4 ((1)) 3B
Anderson Development Partners  Agents: Jeffrey L. Anderson Nolan E. Redding	1067 Centre Road Auburn Hills, MI 48326	Agent for Applicant
Walter L. Phillips, Incorporated  Agents: Charles F. Dunlap Jenifer L.T. Hornback Aaron M. Vinson Meghan E. Anderson Jill C. Vinson Katherin W. von Bredow	207 Park Avenue Falls Church, VA 22046	Engineers/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

 (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 Attachment to Par. 1(a)**

DATE: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(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.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Cooley Godward Kronish LLP  Agents: Antonio J. Calabrese, Esq Mark C. Looney, Esq Colleen P. Gillis Snow, Esq Jill D. Switkin, Esq Brian J Winterhalter, Esq Jeffrey A. Nein, Planner Meaghan P. Murray, Planner Molly M. Novotny, Planner Ben I. Wales, Planner Katherine D. Youngbluth, Planner Jason R. Rogers, Planner	Reston Town Center One Freedom Square 11951 Freedom Drive Reston, VA 20190	<b>Former Attorneys/Agent</b>

(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: June 13, 2008
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028
(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)
Penske Automotive Group, Inc. f/k/a United Auto Group, Inc.
2555 Telegraph Road
Bloomfield Hills, MI 48302-0954

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)
Publicly traded on NYSE.
The only shareholders owning 10% or more are Penske Corporation and Mitsui & Co., Ltd.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)
Bernard W. Wolfe, Executive Vice President - East Operations

(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)**

DATE: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

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

Rosenthal Stonecroft Family L.L.C.  
1100 S. Glebe Road  
Arlington, VA 22204

**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)

Members: Robert M. Rosenthal, Brooke E. Peterson, Jane R. Cafritz, Nancy L. Rosenthal, Robert (nmi) Peterson, Katherine (nmi) Peterson, Nicholas (nmi) Cafritz

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**

Robert M. Rosenthal, Managing Member/President  
Jerry H. Griffin, VP/Secretary

=====

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

Donald B. Bavely Family, L.L.C.  
1100 S. Glebe Road  
Arlington, VA 22204

**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)

Members: Donald B. Bavely, Paul B. Bavely, Donna M. Bavely, Douglas C. Bavely

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

**President, Vice-President, Secretary, Treasurer, etc.)**

Donald B. Bavely, Managing Member/President  
Jerry H. Griffin, VP/Secretary

(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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

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

Walter L. Phillips, Incorporated  
207 Park Avenue  
Falls Church, VA 22046

**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)

Brian G. Baillargeon  
Jeffrey J. Stuchel

=====

**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)

Anderson Development Partners  
1067 Centre Road  
Auburn Hills, MI 48326

**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)

Matt L. Anderson

=====

**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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

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

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

**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)  
Penske Corporation  
2555 Telegraph Road  
Bloomfield Hills, MI 48302-0954

**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)  
Roger S. Penske

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)  
Roger S. Penske, Chairman/CEO; Robert H. Kurnick, Jr., President; J. Patrick Conroy, EVP & CFO

(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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

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

Mitsui & Co., Ltd.  
20 Adelaide Street East, Suite 1400  
Toronto, Ontario, Canada M5C 2T6

**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)

The Master Trust Bank of Japan, Ltd. (owns less than 10% of Penske Automotive Group, Inc.)

=====

**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)

**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)

=====

**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: June 13, 2008
(enter date affidavit is notarized)

99 3926

for Application No. (s): PCA 2004-SU-028
(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)

Cooley Godward Kronish LLP
Reston Town Center, One Freedom Square
11951 Freedom Drive
Reston, VA 20190

(check if applicable) [X] 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)

- List of names and titles of partners including Jane K. Adams, Lynda K. Chandler, Gian-Michele a Marca, Dennis M. Childs, Gordon C. Atkinson, Richard E. Climan, Michael A. Attanasio, Thomas A. Coll, Frederick D. Baron, Joseph W. Conroy, Keith J. Berets, Carolyn L. Craig, Laura A. Berezin, Janet L. Cullum, Barbara L. Borden, John A. Dado, Jodie M. Bourdet, Craig E. Dauchy, Lance W. Bridges, Darren K. DeStefano, Matthew J. Bringham, Scott D. Devereaux, John P. Brockland, Jennifer Fonner DiNucci, James P. Brogan, James J. Donato, Matthew T. Browne, Michelle C. Doolin, Robert T. Cahill, John C. Dwyer, Antonio J. Calabrese, Robert L. Eisenbach, III, Linda F. Callison, Brent W. Fassett, M. Wainwright Fishburn, Jr.

(check if applicable) [X] 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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Cooley Godward Kronish LLP [continued]  
Reston Town Center, One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190(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**)

Keith A. Flaum	Michael S. Levinson	Michael G. Rhodes
Grant P. Fondo	Elizabeth L. Lewis	Michelle S. Rhyu
Daniel W. Frank	Michael R. Lincoln	Julie M. Robinson
Richard H. Frank	James C. T. Linfield	Ricardo (nmi) Rodriguez
William S. Freeman	David A. Lipkin	Jane (nmi) Ross
Steven L. Friedlander	Samuel M. Livermore	Adam J. Ruttenberg
Thomas J. Friel, Jr.	Douglas P. Lobel	Adam L. Salassi
Koji F. Fukumura	Michael X. Marinelli	Thomas R. Salley III
James F. Fulton, Jr.	John T. McKenna	Martin S. Schenker
William S. Galliani	Daniel P. Meehan	Joseph A. Scherer
John M. Geschke	Robert H. Miller	Paul H. Schwartz
Kathleen A. Goodhart	Ann M. Mooney	Whitty (nmi) Somvichian
Shane L. Goudey	Gary H. Moore	Mark D. Spoto
William E. Grauer	Timothy J. Moore	Neal J. Stephens
Jonathan G. Graves	Webb B. Morrow III	Michael D. Stern
Kenneth L. Guernsey	Kevin P. Mullen	Anthony M. Stiegler
Patrick P. Gunn	Frederick T. Muto	Anita F. Stork
John B. Hale	Ross W. Nadel	Steven M. Strauss
Andrew (nmi) Hartman	Stephen C. Neal	Myron G. Sugarman
Bernard L. Hatcher	James E. Nesland	Christopher J. Sundermeier
Matthew B. Hemington	Vincent P Pangrazio	C. Scott Talbot
Gordon (nmi) Ho	Timothy G. Patterson	Mark P. Tanoury
Suzanne Sowachka Hooper	Anne H. Peck	Philip C. Tencer
Tami J. Howie	D. Bradley Peck	Gregory C. Tenhoff
Mark M. Hrenya	Susan Cooper Philpot	Timothy S. Teter
Christopher R. Hutter	Frank V. Petrantonio	John H. Toole
Craig D. Jacoby	Mark B. Pitchford	Michael S. Tuscan
Eric C. Jensen	Michael L. Platt	Edward Van Gieson
Robert L. Jones	Christian E. Plaza	Erich E. Veitenheimer III
Barclay J. Kamb	Lori R. E. Ploeger	Aaron J. Velli
Jeffrey S. Karr	Thomas F. Poche	Robert R. Vieth
Margaret H. Kavalaris	Anna B. Pope	Lois K. Voelz
Sally A. Kay	Marya A. Postner	Craig A. Waldman
J. Michael Kelly	Steve M. Przesmicki	Kent M. Walker
James C. Kitch	Frank F. Rahmani	David A. Walsh
Michael J. Klisch	Thomas Z. Reicher	Thomas S. Welk
Barbara A. Kosacz	Eric M. Reifschneider	Christopher A. Westover

(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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(enter County-assigned application number (s))

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

Cooley Godward Kronish LLP [continued]  
Reston Town Center, One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190

(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)**

- |                          |                         |
|--------------------------|-------------------------|
| Francis R. Wheeler       | Thomas D. O'Connor      |
| Brett D. White           | Benjamin D. Pierson     |
| Peter J. Willsey         | Seth A. Rafkin          |
| Nancy H. Wojtas          | Paul M. Ritter          |
| John F. Young            | Adam C. Rogoff          |
| Kevin J. Zimmer          | Richard S. Rothberg     |
| Maureen P. Alger         | Glen Y. Saio            |
| Michael F. Armstrong     | Renee (nmi) Schwartz    |
| Jonathan P. Bach         | William J. Schwartz     |
| Celia Goldwag Barenholtz | Wayne O. Stacy          |
| James A. Beldner         | Ronald R. Sussman       |
| Russell S. Berman        | David M. Warren         |
| Nicole C. Brookshire     | Steven K. Weinberg      |
| Matthew D. Brown         | Nan (nmi) Wu            |
| W. Lesse Castleberry     | M. Manuel Fishman       |
| Ethan E. Christensen     | John (nmi) Hession      |
| Alan S. Cohen            | Lester J. Fagen         |
| John W. Crittenden       | Alfred L. Browne III    |
| Nathan K. Cummings       | Miguel J. Vega          |
| Philip (nmi) Gall        | Patrick J. Mitchell     |
| Stephen D. Gardner       | Marc (nmi) Recht        |
| Lawrence C. Gottlieb     | Thomas C. Meyers        |
| Paul E. Gross            | Robert J. Tosti         |
| Avi (nmi) Hahn           | Richard S. Sanders      |
| Joanna C. Hendon         | Robert B. Lovett        |
| Cathy Rae Hershcopf      | Laura Grossfield Birger |
| Jay R. Indyke            | Jennifer (nmi) Coplan   |
| Richard S. Kanowitz      | Michael H. Knight       |
| Scott L. Kaufman         | Roel (nmi) Campos       |
| Jason L. Kent            |                         |
| Gary M. Kravetz          |                         |
| Kenneth J. Krisko        |                         |
| Shira Nadich Levin       |                         |
| Alan (nmi) Levine        |                         |
| Chet F. Lipton           |                         |
| Mark C. Looney           |                         |
| Brian E. Mitchell        |                         |
| Alison (nmi) Newman      |                         |
| William H. O'Brien       |                         |

(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: June 13, 2008  
(enter date affidavit is notarized)

993920

for Application No. (s): PCA 2004-SU-028  
(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: June 13, 2008  
(enter date affidavit is notarized)

993926

for Application No. (s): PCA 2004-SU-028  
(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.)

None

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

(check if applicable)  There are more disclosures to be listed and Par. 3 is continued on a "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:

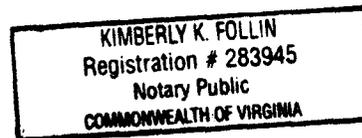
(check one) Sara V. Mariska  
 Applicant  Applicant's Authorized Agent

Sara V. Mariska, attorney/agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13 day of June, 2008, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2011



**SPECIAL EXCEPTION AFFIDAVIT**

DATE: May 28, 2008  
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/agent, 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

99393a

in Application No.(s): SEA 2004-SU-007  
 (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 <b>BOLD</b> above)
Penske Automotive Group, Inc. f/k/a United Auto Group, Inc.	2555 Telegraph Road Bloomfield Hills, MI 48302-0954	Applicant/Lessee of Tax Map 33-4 ((1)) 3B
Agents: Roger S. Penske, Jr. (former) Robert F. Farrell Bernard W. Wolfe		
Rosenthal Stonecroft Family L.L.C.	1100 S. Glebe Road Arlington, VA 22204	Co-Owner of Tax Map 33-4 ((1)) 3B
Agents: Jerry H. Griffin Donald B. Bavely Robert M. Rosenthal		

(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Donald B. Bavely Family, L.L.C.  Agents: Jerry H. Griffin Donald B. Bavely Robert M. Rosenthal	1100 S. Glebe Road Arlington, VA 22204	Co-Owner of Tax Map 33-4 ((1)) 3B
Anderson Development Partners  Agents: Jeffrey L. Anderson Nolan E. Redding	1067 Centre Road Auburn Hills, MI 48326	Agent for Applicant
Walter L. Phillips, Incorporated  Agents: Charles F. Dunlap Jenifer L.T. Hornback Aaron M. Vinson Meghan E. Anderson Jill C. Vinson Katherin W. von Bredow	207 Park Avenue Falls Church, VA 22046	Engineers/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

 (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 Attachment to Par. 1(a)**

DATE: May 28, 2008  
(enter date affidavit is notarized)

99393 a

for Application No. (s): SEA 2004-SU-007  
(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Cooley Godward Kronish LLP  Agents: Antonio J. Calabrese, Esq Mark C. Looney, Esq Colleen P. Gillis Snow, Esq Jill D. Switkin, Esq Brian J Winterhalter, Esq Jeffrey A. Nein, Planner Meaghan P. Murray, Planner Molly M. Novotny, Planner Ben I. Wales, Planner Katherine D. Youngbluth, Planner Jason R. Rogers, Planner	Reston Town Center One Freedom Square 11951 Freedom Drive Reston, VA 20190	Former Attorneys/Agent

(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: May 28, 2008
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007
(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) Penske Automotive Group, Inc. f/k/a United Auto Group, Inc. 2555 Telegraph Road Bloomfield Hills, MI 48302-0954

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)

Publicly traded on NYSE.
The only shareholders owning 10% or more are Penske Corporation and Mitsui & Co., Ltd.

(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))

=====

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

Rosenthal Stonecroft Family L.L.C.  
1100 S. Glebe Road  
Arlington, VA 22204

**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)

Robert M. Rosenthal, Brooke E. Peterson,  
Jane R. Cafritz, Nancy L. Rosenthal, Robert  
(nmi) Peterson, Katherine (nmi) Peterson,  
Nicholas (nmi) Cafritz

=====

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

Donald B. Bavely Family, L.L.C.  
1100 S. Glebe Road  
Arlington, VA 22204

**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)

Donald B. Bavely, Paul B. Bavely, Donna  
M. Bavely, Douglas C. Bavely

=====

(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: May 28, 2008  
(enter date affidavit is notarized)

99393 a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))

=====

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

Walter L. Phillips, Incorporated  
207 Park Avenue  
Falls Church, VA 22046

**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)

Brian G. Baillargeon  
Jeffrey J. Stuchel

=====

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

Anderson Development Partners  
1067 Centre Road  
Auburn Hills, MI 48326

**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)

Matt L. Anderson

=====

(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

David J. Bomgardner, E. Andrew Burcher,	Michael D. Lubeley, J. Randall Minchew,
Thomas J. Colucci, Peter M. Dolan, Jr.,	M. Catharine Puskar, John E. Rinaldi,
Jay du Von, Jerry K. Emrich, William A.	Lynne J. Strobel, Garth M. Wainman, Nan
Fogarty, John H. Foote, H. Mark Goetzman,	E. Walsh, Martin D. Walsh
Bryan H. Guidash,	

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Penske Corporation  
2555 Telegraph Road  
Bloomfield Hills, MI 48302-0954

**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)  
Roger S. Penske

=====

(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))

=====

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

Mitsui & Co., Ltd.  
20 Adelaide Street East, Suite 1400  
Toronto, Ontario, Canada M5C 2T6

**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)

The Master Trust Bank of Japan, Ltd. (owns less than 10% of Penske Automotive Group, Inc.)

=====

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

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

=====

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 28, 2008
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007
(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)

Cooley Godward Kronish LLP
Reston Town Center, One Freedom Square
11951 Freedom Drive
Reston, VA 20190

(former)

(check if applicable) [X] 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)

Jane K. Adams
Lynda K. Chandler
Gian-Michele a Marca
Dennis M. Childs
Gordon C. Atkinson
Richard E. Climan
Michael A. Attanasio
Thomas A. Coll
Frederick D. Baron
Joseph W. Conroy
Keith J. Berets
Carolyn L. Craig
Laura A. Berezin
Janet L. Cullum
Barbara L. Borden
John A. Dado

Jodie M. Bourdet
Craig E. Dauchy
Lance W. Bridges
Darren K. DeStefano
Matthew J. Brigham
Scott D. Devereaux
John P. Brockland
Jennifer Fonner DiNucci
James P. Brogan
James J. Donato
Matthew T. Browne
Michelle C. Doolin
Robert T. Cahill
John C. Dwyer
Antonio J. Calabrese
Robert L. Eisenbach, III
Linda F. Callison

Brent W. Fassett
M. Wainwright Fishburn, Jr.

(check if applicable) [X] 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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Cooley Godward Kronish LLP [continued]  
Reston Town Center, One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190(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**)

Keith A. Flaum	Michael S. Levinson	Michael G. Rhodes
Grant P. Fondo	Elizabeth L. Lewis	Michelle S. Rhyu
Daniel W. Frank	Michael R. Lincoln	Julie M. Robinson
Richard H. Frank	James C. T. Linfield	Ricardo (nmi) Rodriguez
William S. Freeman	David A. Lipkin	Jane (nmi) Ross
Steven L. Friedlander	Samuel M. Livermore	Adam J. Rutenberg
Thomas J. Friel, Jr.	Douglas P. Lobel	Adam L. Salassi
Koji F. Fukumura	Michael X. Marinelli	Thomas R. Salley III
James F. Fulton, Jr.	John T. McKenna	Martin S. Schenker
William S. Galliani	Daniel P. Meehan	Joseph A. Scherer
John M. Geschke	Robert H. Miller	Paul H. Schwartz
Kathleen A. Goodhart	Ann M. Mooney	Whitty (nmi) Somvichian
Shane L. Goudey	Gary H. Moore	Mark D. Spoto
William E. Grauer	Timothy J. Moore	Neal J. Stephens
Jonathan G. Graves	Webb B. Morrow III	Michael D. Stern
Kenneth L. Guernsey	Kevin P. Mullen	Anthony M. Stiegler
Patrick P. Gunn	Frederick T. Muto	Anita F. Stork
John B. Hale	Ross W. Nadel	Steven M. Strauss
Andrew (nmi) Hartman	Stephen C. Neal	Myron G. Sugarman
Bernard L. Hatcher	James E. Nesland	Christopher J. Sundermeier
Matthew B. Hemington	Vincent P. Pangrazio	C. Scott Talbot
Gordon (nmi) Ho	Timothy G. Patterson	Mark P. Tanoury
Suzanne Sowachka Hooper	Anne H. Peck	Philip C. Tencer
Tami J. Howie	D. Bradley Peck	Gregory C. Tenhoff
Mark M. Hrenya	Susan Cooper Philpot	Timothy S. Teter
Christopher R. Hutter	Frank V. Petrantonio	John H. Toole
Craig D. Jacoby	Mark B. Pitchford	Michael S. Tuscan
Eric C. Jensen	Michael L. Platt	Edward Van Gieson
Robert L. Jones	Christian E. Plaza	Erich E. Veitenheimer III
Barclay J. Kamb	Lori R. E. Ploeger	Aaron J. Velli
Jeffrey S. Karr	Thomas F. Poche	Robert R. Vieth
Margaret H. Kavalaris	Anna B. Pope	Lois K. Voelz
Sally A. Kay	Marya A. Postner	Craig A. Waldman
J. Michael Kelly	Steve M. Przesmicki	Kent M. Walker
James C. Kitch	Frank F. Rahmani	David A. Walsh
Michael J. Klisch	Thomas Z. Reicher	Thomas S. Welk
Barbara A. Kosacz	Eric M. Reifschneider	Christopher A. Westover

(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

for Application No. (s): SEA 2004-SU-007  
(enter County-assigned application number (s))

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

Cooley Godward Kronish LLP [continued]  
Reston Town Center, One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190

(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**)

- |                          |                         |
|--------------------------|-------------------------|
| Francis R. Wheeler       | Thomas D. O'Connor      |
| Brett D. White           | Benjamin D. Pierson     |
| Peter J. Willsey         | Seth A. Rafkin          |
| Nancy H. Wojtas          | Paul M. Ritter          |
| John F. Young            | Adam C. Rogoff          |
| Kevin J. Zimmer          | Richard S. Rothberg     |
| Maureen P. Alger         | Glen Y. Saio            |
| Michael F. Armstrong     | Renee (nmi) Schwartz    |
| Jonathan P. Bach         | William J. Schwartz     |
| Celia Goldwag Barenholtz | Wayne O. Stacy          |
| James A. Beldner         | Ronald R. Sussman       |
| Russell S. Berman        | David M. Warren         |
| Nicole C. Brookshire     | Steven K. Weinberg      |
| Matthew D. Brown         | Nan (nmi) Wu            |
| W. Lesse Castleberry     | M. Manuel Fishman       |
| Ethan E. Christensen     | John (nmi) Hession      |
| Alan S. Cohen            | Lester J. Fagen         |
| John W. Crittenden       | Alfred L. Browne III    |
| Nathan K. Cummings       | Miguel J. Vega          |
| Philip (nmi) Gall        | Patrick J. Mitchell     |
| Stephen D. Gardner       | Marc (nmi) Recht        |
| Lawrence C. Gottlieb     | Thomas C. Meyers        |
| Paul E. Gross            | Robert J. Tosti         |
| Avi (nmi) Hahn           | Richard S. Sanders      |
| Joanna C. Hendon         | Robert B. Lovett        |
| Cathy Rae Hershcopf      | Laura Grossfield Birger |
| Jay R. Indyke            | Jennifer (nmi) Coplan   |
| Richard S. Kanowitz      | Michael H. Knight       |
| Scott L. Kaufman         | Roel (nmi) Campos       |
| Jason L. Kent            |                         |
| Gary M. Kravetz          |                         |
| Kenneth J. Krisko        |                         |
| Shira Nadich Levin       |                         |
| Alan (nmi) Levine        |                         |
| Chet F. Lipton           |                         |
| Mark C. Looney           |                         |
| Brian E. Mitchell        |                         |
| Alison (nmi) Newman      |                         |
| William H. O'Brien       |                         |

(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: May 28, 2008  
(enter date affidavit is notarized)

99393 a

for Application No. (s): SEA 2004-SU-007  
(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: May 28, 2008  
(enter date affidavit is notarized)

99393a

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.)  
None

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

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

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

WITNESS the following signature:

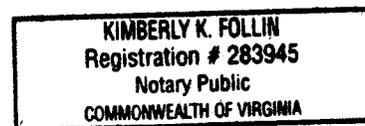
(check one) Sara V. Mariska  
[ ] Applicant [x] Applicant's Authorized Agent

Sara V. Mariska, attorney/agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 28 day of May, 2008, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2011





Lynne J. Strobel  
 (703) 528-4700 Ext. 5418  
 lstrobel@arl.thelandlawyers.com

**WALSH COLUCCI  
 LUBELEY EMRICH  
 & WALSH PC**

May 12, 2008

**Via Hand Delivery**

Regina C. Coyle, Director  
 Fairfax County Department of Planning & Zoning  
 Zoning Evaluation Division  
 12055 Government Center Parkway, Suite 801  
 Fairfax, Virginia 22035

Re: PCA 2004-SU-028/SEA 2004-SU-027  
 Fairfax County Tax Map Reference: 33-4 ((1)) 3B (the "Subject Property")  
 Applicant: Penske Automotive Group, Inc. (formerly known as United Auto  
 Group)

Dear Ms. Coyle:

Please accept this letter to supplement the statement of justification submitted by Katherine D. Youngbluth, dated February 11, 2008 for the referenced proffered condition amendment and special exception amendment applications.

The Subject Property is approximately 9.26 acres and is located in the southwest quadrant of the intersection of Stonecroft Boulevard and Stonecroft Center Court. The Subject Property is zoned to the C-8 District and is also within the Airport Noise Impact Overlay District and the Water Supply Protection Overlay District. The Subject Property has been the subject of several prior land use approvals, most recently the Fairfax County Board of Supervisors (the "Board") approved PCA 1999-SU-018, RZ 2004-SU-028, and SE 2004-SU-027 on February 7, 2005. The PCA removed and deleted 26.77 acres, including the Subject Property, from rezoning application RZ 1999-SU-018. The rezoning application rezoned the Subject Property, along with Parcel 3G, to the current C-8 District. The special exception amendment application allowed vehicle sales, rental, and ancillary service establishment.

The Subject Property is located in the Dulles Suburban Center within Area III of the Fairfax County Comprehensive Plan (the "Plan"). More specifically, the Subject Property is located in Land Unit H of the Dulles Suburban Center, which is planned for industrial, research and development and industrial/flex uses up to a maximum 0.35 FAR. The proposed vehicle sales, rental, and ancillary service establishments are in conformance with the uses and FAR envisioned by the Plan and are consistent with the existing uses in Land Unit H.

The proposed partial PCA seeks to amend the proffers to revise the building layout for the Subject Property from the layout shown on the Generalized Development Plan ("GDP") approved with RZ 2004-SU-028, and to make site modifications. In lieu of a single building, the Applicant proposes two buildings to accommodate two separate car dealerships. One building

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM  
 COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

on the northern side of the Subject Property will be comprised of approximately 26,500 square feet ("Building #1") and a second building on the southern side of the Subject Property will be comprised of approximately 43,500 square feet ("Building #2"). Building #1 will have approximately 1,530 square feet devoted to a car wash. The Subject Property will have a total of approximately 209 parking spaces. Approximately 104 parking spaces will be allocated to Building #1 and approximately 105 parking spaces will be allocated to Building #2. The improvements result in an intensity of 0.173 FAR on the Subject Property. The Applicant is not increasing the previously approved building square footage. Additional site modifications including vehicular circulation, parking and landscaping are necessary to accommodate the new building layout.

An amendment to the previously approved special exception is necessary as a result of the Applicant's proposal. In accordance with Section 9-011 of the Fairfax County Zoning Ordinance (the "Ordinance"), please accept the following information:

- The type of operation proposed is a vehicle sales, rental, and ancillary service establishment. Auto repairs will comprise approximately forty-one percent (41%) of the operations on the Subject Property. Auto repairs will include mechanical repairs and routine vehicle maintenance.
- The hours of operation will be 6:00 a.m. to 10:00 p.m., Sunday through Saturday. These hours may be adjusted based on client demand and use.
- The estimated number of patrons will be approximately 1,500 per month.
- Each car dealership will have no more than forty (40) full-time employees on-site at one time, which includes service facility employees, sales staff and managers.
- The proposed use will generate approximately 1,167 vehicle trips per day, with 72 trips in the morning peak hour and 90 trips in the evening peak hour. Peak hour trips during the morning will be generated from 7:45 a.m. to 8:45 a.m. and evening peak trips will be generated from 5:15 p.m. to 6:15 p.m.
- The use will serve patrons primarily from Chantilly, Centreville, and western Fairfax County.
- The proposed use totals approximately 70,000 gross square feet in building improvements. Generally, the architectural elements of the buildings will be comprised of split-face concrete block (white), glass walls (clear), and aluminum panels (silver).
- Petroleum products, as defined in Title 40, Code of Federal Regulations, and customarily used by consumer vehicles are the only known hazardous or toxic substances to be utilized and stored on the Subject Property.

May 12, 2008

Page 3

- The proposed use conforms to the provisions of all applicable ordinances, regulations, standards, and conditions.

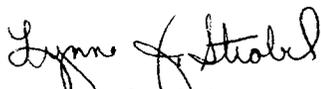
In conclusion, the Applicant's proposal is in harmony with the purpose and intent of the Ordinance and the recommendations of the Plan. The vehicle sales, rental, and ancillary service establishments will be a community-serving use that is convenient for residents in Chantilly, Centreville, and western Fairfax County.

Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me.

I would appreciate your review and acceptance of this supplemental statement as soon as possible as a public hearing is scheduled before the Fairfax County Planning Commission on July 10, 2008.

Very truly yours,

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



Lynne J. Strobel

Enclosures

cc: Jeff Anderson  
Nolan Redding  
Sara V. Mariska  
Martin D. Walsh

{A0141656.DOC / 1 Supplemental Statement of Justification 006443 000002}

RECEIVED  
Department of Planning & Zoning  
FEB 11 2008  
Zoning Evaluation Division

## STATEMENT OF JUSTIFICATION

### UNITED AUTO GROUP PARTIAL PROFFER CONDITION AMENDMENT AND SPECIAL EXCEPTION AMENDMENT

February 11, 2008

#### I. INTRODUCTION

Rosenthal Stonecroft Family LLC (the "Owner") is the current owner of the 9.26 acre property located on the southwest corner of the intersection of Stonecroft Boulevard and Stonecroft Center Court and identified on the Fairfax County Tax Map as 33-4 ((1)) Parcel 3B (the Property"). United Auto Group (the "Applicant/Lessee") requests approval of a Partial Proffer Condition Amendment ("PCA") and Special Exception Amendment ("SEA") to allow two vehicle sale, rental and ancillary service establishments and a car wash for use by the automobile dealerships at a maximum of 70,000 square feet on the Property. Under an existing special exception, generalized development plan, and proffers, the Property may be developed with a single 70,000 square foot vehicle sales, rental and ancillary service uses establishment. The Applicant proposes to separate the single dealership into two dealerships within the allowable 70,000 square feet.

The Property is currently vacant land located within the Highway Commercial ("C-8") Zoning District, the Watershed and Airport Noise Impact Overlay Districts. The C-8 Zoning District permits the construction of vehicle sales, rental and ancillary service establishments with the approval of a Category 5 Special Exception. A special exception and proffers currently govern the site.

#### II. UNITED AUTO GROUP - CHANTILLY PROPOSAL

The Applicant proposes to develop two car dealerships and a freestanding carwash for a cumulative maximum of 70,000 square feet. The proposed uses will result in a total FAR of 0.173. Providing two dealership buildings, as shown on the proposed Special Exception Amendment Plat, is essential to marketing and retaining successful auto dealerships. In order to attract quality, desirable tenants, United Auto Group must have the ability to lease each dealer its own building and accommodate the preferences of each tenant. At this time the final tenants for each building have not been determined, and, as a result, the final signage locations, dimensions, and lighting associated with each tenant are also unknown.

##### A. PROPOSED DEVELOPMENT

The Applicant proposes the following uses:

- A +/- 20,000 square foot dealership located on the north side of the Property fronting Stonecroft Boulevard;

- A +/- 45,000 square foot dealership located on the south side of the Property fronting Stonecroft Boulevard; and
- A +/- 5,000 square foot freestanding carwash located behind the two dealerships near the western property line for use by the automobile dealerships.

B. PROPOSAL TO AMEND RZ 2004-SU-028/SE 2004-SU-027

I. RZ 2004-SU-028/SE 2004-SU-027

The Property is a part of PCA 1999-SU-018, RZ 2004-SU-028, and SE 2004-SU-027, which the Board of Supervisors approved in 2005. The PCA removed and deleted 26.77 acres, including the Property, from rezoning application RZ 1999-SU-018. Concurrent with PCA 1999-SU-018, the Board of Supervisors approved RZ 2004-SU-028 and SE 2004-SU-027, which rezoned the Property and Parcel 3G to the current C-8 Zoning District with a Special Exception to allow the vehicle sales, rental and ancillary service establishment.

Parcels 3B and 3G are subject to proffers (the “Proffers”), development conditions (the “Conditions”) and a Generalized Development Plan/Special Exception Plat (the “GDP”) associated with RZ 2004-SU-028 and SE 2004-SU-027. The area subject to the Proffers comprises of 26.77 acres (the “GDP Area”), which at the time was under single ownership by West\*Group Management LLC.

The Proffers are attached as **Exhibit A** and the Conditions are attached as **Exhibit B**. The Proffers restrict the development of the Property to that indicated on the GDP. Consequently, the proposal for two dealerships, in lieu of one building as shown on the GDP, will require an amendment to the Proffers and GDP as further described below.

II. PROPOSED PARTIAL PROFFER CONDITION AMENDMENT

The proposed partial PCA seeks to amend the Proffers to revise the building layout for Parcel 3B from the layout shown on the original rezoning application. The proposed partial PCA/SEA application for the Property does not include the property identified as Tax Map 33-4 ((1)) Parcel 3G (the “Neighboring Parcel”). The Neighboring Parcel, which is part of the GDP/SE, is neither owned nor managed by the Applicant. This PCA application does not propose to alter the commitments in the approved Proffers but rather seeks to modify the building layout on the Property.

The revisions proposed on Parcel 3B will not detrimentally affect the remaining parcels in the GDP Area. The Applicant has reviewed the approved GDP to confirm that the creation of two dealership buildings on the Property will not cause the remaining properties within the GDP Area to exceed the C-8 Zoning District regulations nor the requirements under the approved Proffers.

III. **CONFORMANCE WITH COMPREHENSIVE PLAN**

The Property is located in the Dulles Suburban Center section of the Comprehensive Plan. The Dulles Suburban Center is generally located in western Fairfax County, adjacent to the eastern

and southern boundaries of the Washington Dulles International Airport. The majority of the existing development in the Dulles Suburban Center is categorized as industrial and office use. Much of the industrial development is comprised of industrial/flex uses. The Comprehensive Plan shows the location of a pedestrian/bikeway east of the site across Stonecroft Boulevard and does not show a trail on the Property. Despite the lack of a Comprehensive Plan requirement for a trail on the Property, however, the Property contains an eight foot sidewalk along Stonecroft Boulevard.

The Property is located in Land Unit H of the Dulles Suburban Center. This Land Unit contains approximately 880 acres and is predominately industrial in character. The Property is planned for industrial, research and development and industrial/flex uses up to a maximum of 0.35 FAR. The Property falls within the Route 28 Tax District and is subject to the Route 28 special tax.

The proposed auto dealerships are in conformance with the uses and FAR envisioned by the Dulles Suburban Center, Land Unit H and are consistent with existing uses in Land Unit H. The proposed auto dealerships will be adjacent to an existing Nissan auto dealership and will be less than one mile from Chantilly Auto Park.

#### **IV. ZONING**

The Applicant seeks to permit two commercial buildings on the Property, which is currently zoned C-8. The C-8 District is established to provide locations on the heavily traveled collector and arterial highways for those commercial and service uses which (a) are oriented to the automobile, or (b) are uses which may require large land areas and good access and (c) do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade.

The Property also is within the Airport Noise Impact and Watershed Overlay Districts. The requirements of either Overlay District will not affect the development of the dealerships.

The Applicant's proposed development on the 9.26-acre site results in a development of 0.173 FAR; therefore, the Property will not exceed the maximum FAR of 0.50 per the Zoning Ordinance.

The proposed commercial uses will be easily accessed by Stonecroft Center Court, which has an entrance off Stonecroft Boulevard. The Applicant will reduce the amount of approved surface parking for the site from that shown on the existing GDP by 61 spaces to provide 781 spaces for clientele, display and service use. Additionally, the Applicant will provide 25% open space—10% in excess of the Zoning Ordinance requirement.

#### **V. SPECIAL EXCEPTION CRITERIA**

##### General Standards (9-006)

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

See above information on the Comprehensive Plan.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

See above information on the proposed use.

3. *The proposed use shall be harmonious with and will not adversely affect the use or development of neighboring properties.*

The proposed use will not adversely affect neighboring properties and will be harmonious with the surrounding dealerships and properties.

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.*

The site layout permits safe pedestrian and vehicular circulation, as indicated on the Generalized Development Plan/Special Exception Amendment Plat. Additionally, there is an existing 8' walk located along the properties frontage on Stonecroft Boulevard.

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.*

The application will meet the requirements of the Zoning Ordinance unless otherwise noted.

6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

The proposed application provides 25% open space, which is in excess of the C-8 District requirements.

7. *Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.*

The necessary utilities, drainage, parking and loading will be provided on the Property.

8. *Signs shall be regulated by the provisions of Article 12.*

Signage shall be in accordance with the approved proffers. The final location, dimensions, and lighting of the signage will be determined at site plan.

#### Standards for all Category 5 Uses

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.*

The Property meets the lot size and bulk regulations of the C-8 District.

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.*

A photometric plan has been included as a part of the Special Exception Amendment Plat.

3. *Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.*

The Applicant will adhere to the provisions of Article 17, Site Plans.

#### Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments (9-518)

1. *Outdoor storage, parking and display areas shall be permitted only on the same lot with an ancillary to a sales room, rental office or service facility, which shall be entirely closed on all sides.*

Parking and storage will be provided on site, as indicated on the Generalized Development Plan/Special Exception Amendment Plat.

2. *The outdoor area devoted to storage, loading, parking and display of goods shall be limited to that area so designated on an approved special exception plat. Such areas shall not be used for the storage or display of vehicles that are not in operation condition.*

Storage, parking and display areas are labeled on the Generalized Development Plan/Special Exception Amendment Plat.

3. *Notwithstanding the bulk regulations of the zoning district in which located, any such outdoor area that is located on the ground and is open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13. All structures shall be subject to the bulk regulations of the zoning district in which located, except structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.*

No structure is proposed closer than 10' to a property line.

4. *All such uses shall be provided with safe and convenient access to a street.*

Access to the site is provided from Stonecroft Center Court off Stonecroft Boulevard, which provides safe and convenient access.

5. *All outdoor areas, including aisles and driveways, shall be constructed and maintained with an approved surface in accordance with Par. 11 of Sect. 11-102, and shall be improved in accordance with construction standards presented in the Public Facilities Manual.*

The construction standards of the Public Facilities Manual will be followed in the construction of this site.

6. *All lighting fixtures used to illuminate such outdoor areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.*

The Applicant will comply with Part 9 of Article 14 of the Zoning Ordinance.

7. *In the C-3, C-4, I-3, I-4, PDC, PRC and PRM District, only vehicle rental establishment may be allowed and such use shall be subject to Paragraphs I through 6 above.*

Not applicable.

## **VI. CONFORMANCE WITH ZONING ORDINANCE REGULATIONS**

### **A. Vehicle Sales, Rental and Ancillary Service Establishment**

The following information, as requested by Part 7 of Section 9-011 of the Zoning Ordinance, provides specific details about the proposed vehicle sales, rental and ancillary service establishment use.

1. *Type of Operation:* Vehicle Sales, Rental and Ancillary Service Establishment.
2. *Hours of Operation:* The Car Dealerships are expected to be open for customer business Sunday through Saturday 6AM to 10PM. These hours may be adjusted based on client need and use.
3. *Estimated number of patrons/clients/patients/pupils/etc.:* Based on the regular service and customer draw, approximately 1500 patrons are expected per month.
4. *Proposed number of employees/attendants/teachers/etc.:* Each Car Dealerships will employ no more than 40 full-time employees on-site at one time. This amount includes service facility employees, sales staff, and managers.
5. *Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day:* Per the Institute of Transportation Engineers 7<sup>th</sup> Edition Trip Generation Manual, each Car Dealership is expected to generate approximately 1,167 trips per day with 72 trips in the morning peak hour and 90 trips in

the afternoon peak hour. Peak hour trips during the morning were generated from 7:45AM to 8:45AM and afternoon trips were generated from 5:15PM to 6:15PM.

6. *Vicinity or general area to be served by the use:* The Car Dealerships expect to draw patrons from the immediate Chantilly, Centreville, and Loudoun County areas.

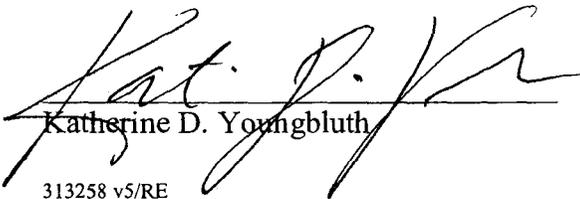
7. *Description of building façade and architecture of proposed new building or additions:* The Car Dealerships will be located in buildings along Stonecroft Boulevard. Generally the architectural elements of the buildings will blend with that of the adjacent buildings and will consist of three major materials including split-face concrete block (white), glass walls (clear) and aluminum panels (silver).

8. *A listing, if known, of all hazardous or toxic substances as set forth in applicable County, State and Federal Regulations:* To the best of the Applicant's knowledge, there are no such materials located or stored on the property.

9. *A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, standards or conditions:* To the best of the Applicant's knowledge, the proposed development will comply with all applicable standards, ordinances and regulations.

**VII. SUMMARY**

The proposed proffered condition amendment will allow the development of two vehicle sales, rental and ancillary service uses on the Property. The amendment to modify the building layout on the Property from configuration approved with RZ 2004-SU-028 to allow United Auto Group to develop the ideal buildings required for successful, high-end tenants, while not detrimentally affecting the remaining parcels within the GDP Area. The Applicant requests favorable consideration of the Application by Staff, the Planning Commission and Board of Supervisors.

  
Katherine D. Youngbluth

313258 v5/RE



**WEST\*GROUP MANAGEMENT LLC**

TMP 33-4-((1))-3B and 3G

26.77 Acres

**PROFFER STATEMENT - RZ 2004 - SU - 028**

January 20, 2005

Pursuant to Section 15.2-2303 (A) of the Code of Virginia 1950, as amended and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the Property Owner and Applicant and its successors or assigns (hereinafter collectively referred to as the "Applicant") hereby proffer that, subject to the Board of Supervisors' approval of the rezoning application as proposed from the I-5 District to the C-8 District, the development of the parcels under consideration and shown on the 26.77-acre Generalized Development/Special Exception/Proffer Condition Amendment Plat ("GDP/SE/PCA Plat"), dated January 5, 2005, prepared by VIKA, Inc. ("Property"), shall be subject to the terms and conditions listed below. In the event this application is denied, these proffers shall be null and void immediately, and have no further force and effect. Further, if accepted, these proffers and GDP/SE/PCA Plat supersede all other previous proffers and development plans for the Property.

**General**

Use: Vehicle Sale, Rental, and Ancillary Service Establishment as well as accessory service uses in support of the principal use.

1. Subject to the provisions of Section 18-204 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Generalized Development/Special Exception/Proffer Condition Amendment Plat ("GDP/SE/PCA Plat") prepared by VIKA, Inc, dated January 5, 2005. Applicant reserves the right to determine final building footprints, dimensions and locations at the time of final site plan design, as long as they are in substantial conformance with the GDP/SE/PCA Plat.

- (a) The Property shall have a Floor Area Ratio (FAR) limit of 0.3 or 349,830 square feet of Gross Floor Area (GFA). Individual lots may be developed at an intensity of up to 0.5 FAR; however, the overall FAR shall not exceed 0.3.
- (b) Building heights shall not exceed a maximum of 40 feet, unless an increase is permitted by the Board pursuant to Sec. 9-607 of the Zoning Ordinance.

- (c) A minimum of 23% of the overall Property shall be retained as landscaped open space. Open space areas shall include the wetland area, RPA and floodplain areas and the buffers along Stonecroft Boulevard and the common property line with the Auto Park as well as other landscaped areas within the Property.
- (d) The lot lines shown on the GDP/SE/PCA Plat may be reconfigured provided that they are in substantial conformance with the GDP/SE/PCA Plat and that:
  - No buildable lot shall be less than 40,000 square feet or less than 200 feet in width.
  - The total number of buildable lots shall not exceed 4 without a PCA and amendment to the GDP/SE/PCA Plat.
- (e) The development of the individual lots, with regard to specific design elements such as building entrance features/landscaping, peripheral and interior parking lot landscaping and streetscape along the public access road shall be in substantial conformance with the illustrative exhibits as set forth on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat and with this proffer statement.
- (f) The GDP/SE/PCA Plat shall serve as the required preliminary plan for the purpose of subdivision and site plan requirements in accordance with Section 101-2-1 of the Subdivision Ordinance to be confirmed by DPWES.

**Tree Preservation, Landscaping and Screening**

2. Landscaping and screening shall be provided in substantial conformance with the location, quality and quantity of plantings depicted on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat. A landscape plan shall be submitted as part of the site plan. This plan shall be coordinated with, and approved by, the Urban Forest Management (UFM), DPWES, and shall contain the landscaping shown on the GDP/SE/PCA Plat, including streetscape and peripheral and interior parking lot landscaping. All landscaping, except as provided in Paragraph 3, shall be irrigated and maintained by the applicant. The following tree preservation, buffer and wetland preservation shall be incorporated with the subsequent development plans:

- (a) Applicant shall maintain a minimum of 1.5 acre buffer (the "Tree Save Area") along the north property line, approximately 800 feet in length and averaging 100 feet in width for the purpose of preserving the existing specimen willow oaks and other canopy trees and providing a buffer from Dulles Auto Park to the north as generally shown on sheet 6 of 9 of the GDP/SE/PCA Plat. No parking, structures, or other uses, except as permitted below, shall be allowed in this area; fences shall only be permitted as stated below. The area

may be used for passive recreational uses such as nature walks and use of picnic table(s) provided that areas used for such purposes are protected by application and maintenance of 3-4 inches of mulch to preserve the existing natural environment and to minimize the compaction of soil and radical changes to the functioning of the root zone environment. The area shall be placed in a Conservation Easement or "Out Lot", subject to the approval of UFM, drafted to preserve existing vegetation while also permitting the aforementioned passive recreational uses within the preserved forest canopy. The existing specimen trees within the preservation area shall be delineated on the site plan and preserved in accordance with the Public Facilities Manual, subject to the approval of UFM, and industry standards and under the direct supervision of a landscape architect, arborist or urban forester whose license is recognized by the County or State. The limits of the tree save area shall be perpetually demarcated by a split rail or similar fence (which under no circumstances shall be a chain link fence) 42 - 48" in height with two (2) open sections or gates, not greater than forty-eight inches (48") in width, for pedestrian and maintenance access as approved by UFM. The removal of dead, dying, and diseased trees will be permitted only in areas where such trees pose a hazard as determined by UFM.

- (b) **Tree Preservation Walk-Through.** The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading; once identified, the limits shall be adjusted accordingly. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance will also be identified at this time, and the Applicant shall remove them as part of the clearing operation. Any tree that is designated for removal at the edge of the limits of clearing and grading or within a tree preservation area shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to the adjacent trees.
- (c) **Tree Protection Fencing.** All trees shown to be preserved on the GDP/SE/PCA Plat shall be protected during construction by tree protection fencing. Tree protection fencing four (4) feet high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I & II Erosion and Sediment

Control Sheets for those tree save areas depicted on the GDP/SE/PCA Plat. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing, except super silt fencing, shall be performed under the supervision of a certified arborist. Three (3) days prior to the commencement of any clearing, grading or demolition activities, UFM shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

- (d) **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading as shown on the GDP/SE/PCA Plat, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES; however, no utilities shall be permitted in the northern buffer area, and in that area, the limits of clearing and grading shall be strictly adhered to. Minor adjustments to the clearing and grading limits within the central tree save area may be approved by UFM, in consultation with the Applicant's certified arborist or landscape architect based on field location of the quality trees identified by UFM and their driplines. All utility crossings (including stormwater management outfall facilities and sanitary sewer lines) shall be located outside the proposed tree save area, and the floodplain/RPA area at the southeast area of the site as described in Proffer No. 2f.
- (e) Peripheral and interior parking lot landscaping shall be provided in accordance with the PFM and as generally shown on Sheets 6 & 7/9 of the GDP/SE/PCA Plat.
- (f) Applicant shall preserve the floodplain, wetland area and RPA/EQC area shown in the southeast corner of the Property as delineated on Sheet 5 of 9 of the GDP/SE/PCA Plat in undisturbed open space by means consistent with the Public Facilities Manual. There shall be no encroachment during the construction period, or at any time after. The floodplain, wetland area and RPA/EQC area shall be protected during construction by protective fencing as described in 2(c) above. The limits of the floodplain, wetland area and RPA/EQC area shall be perpetually demarcated by a split rail or similar fence (which under no circumstances shall be a chain link fence), 42 – 48” in height with two (2) open sections or gates, not greater than 48” in width, for purposes of maintenance to be located as approved by UFM.
- (g) The cumulative tree coverage of the landscaping provided as outlined in Paragraphs 1(c), 2(a), 2(e), 2(f) and 4 herein shall result in a minimum composite site plan tree coverage calculation of fifteen percent (15%) of the gross site, although individual lots and site plans may provide less than fifteen percent (15%) tree coverage as may be permitted by UFM. In calculating the fifteen percent (15%) tree

coverage the Tree Save Area shall receive a credit factor of 2 in accordance with PFM, Table 12-11 to be confirmed by UFM.

### **Stormwater Management**

3. Stormwater Management/BMPs shall be provided as determined by DPWES, unless otherwise modified or waived by the Director of DPWES. If the subject property is served by a single stormwater management/BMP facility, the facility shall be placed in a location that is in substantial conformance with the location shown on the GDP/SE/PCA Plat. In order to restore a natural appearance to the stormwater management pond, the landscape plan submitted as part of the first submission of the first site plan that includes the pond shall show a minimum of ten (10) deciduous trees, 3 – 4” in caliper; 20 conifers, 4 – 6’ in height; and 50 shrubs in the planting areas of the pond, in keeping with the planting policies of DPWES, and subject to UFM approval. The plants shall be installed and inspected as a prerequisite of bond release of the first site plan. All landscaping in this stormwater management pond area shall be maintained and watered, but shall not require underground automatic irrigation.

### **Stonecroft Boulevard Buffer**

4. In conjunction with the first site plan approval and prior to the issuance of the first Non-RUP, a fifteen-foot (15’) wide landscape area shall be constructed along the Property frontage with Stonecroft Boulevard, subject to the approval of UFM. Landscaping materials within this buffer shall be similar in quality and quantity as illustrated on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat. The planting area shall include a continuous 24” high earthen berm and a continuous evergreen hedge planted at 36” trimmed to a minimum of 48” in height measured from the top of curb on Stonecroft Boulevard as generally depicted on the GDP/SE/PCA Plat to create a continuous, solid screening along the entire frontage of Stonecroft Boulevard. Deciduous canopy trees, a minimum of 3-4 inches in caliper, shall be planted 40 – 60 feet on center along Stonecroft Boulevard frontage in the 15 foot landscape area, as approved by UFM.

### **Parking**

5. Each dealership shall accommodate the minimum number of parking and loading spaces as required per the Zoning Ordinance for the corresponding gross floor area and specific use(s). No dealership shall have more than 1,200 spaces, however, the cumulative site total shall not exceed 3,200, including rooftop parking.

- (a) Applicant may utilize parking on the roof of any building on any lot provided such parking is fully screened from Stonecroft Boulevard and Stonecroft Center Court by means of parapets and/or screen walls. Compensatory interior and peripheral parking lot landscaping, if required by DPWES for the rooftop parking, shall be provided elsewhere on the site as determined by UFM at the time of site plan approval. No parking shall be allowed on the access ramps to the roof.

- (b) The outdoor areas devoted to loading, parking and display of vehicles shall be limited to that area so designated on the GDP/SE/PCA Plat, and no vehicles shall be displayed on the site in a manner that will impede the flow of traffic or pedestrian access on-site. The display of vehicles will occur at grade only and no artificial elevation of display vehicles (such as rock piles or ramps) shall be permitted. No parking or display of vehicles shall be permitted along sidewalks or within landscaped or tree save areas. No test-driving of vehicles shall be permitted in landscaped areas.

### **Transportation Improvements**

6. As a prerequisite to the issuance of the Site Plan approval for the second dealership on the Property, Applicant, at its expense, shall cause a traffic signal warrant study to be completed for the intersection of Stonecroft Center Court and Stonecroft Boulevard. If the study supports the issuance of a warrant for a signal at that intersection, and if that warrant is thereafter accepted by the Virginia Department of Transportation (VDOT) for installation of such a signal, then Applicant shall, at its expense, design and construct a signal at that intersection, or in the alternative, if approved by Fairfax County Department of Transportation (FCDOT), shall contribute the amount of the signal as determined by FCDOT to Bonds and Agreements, DPWES for construction of the signal by others, if required by VDOT.

7. Prior to issuance of the first Non-RUP, a striped, non-signalized, crosswalk shall be installed at the existing eastern curb cut on Tax Map 33-4 ((1)) 3C, connecting with the proposed easternmost curb cut for Building C as shown on the GDP/SE Plat.

### **Architectural Theme**

8. In order to insure a consistent architectural theme and character throughout the Property, Applicant shall provide a uniform architectural theme for all structures within the Property.

- (a) The percentage of any one exterior material will not be less than approximately 10% nor more than approximately 50% of the total façade. The sides and rear of each building, the parapet wall used to screen roof parking and at least 60% of the front elevations will be comprised of a minimum of 50% masonry material such as brick, architectural concrete units (split faced or ground faced) or in the case of tilt up construction, pre-cast concrete with stone aggregate face, and/or glass. The balance of the façade material will be earth tone color of synthetic stucco or metal panels. All doors will be metal and of the same earth tone colors as the adjacent building material. All materials will be earth tones, from off-white to beige, sand, and/or shades of brown. All glass shall have non-reflective glazing and the same mullions. There shall be no porcelain/ceramic tiles/panels. Accent colors of the same earth tone range to create a distinctive façade base or horizontal bands to transition colors or types of

masonry, brick or precast materials, shall be exempt from the 10% minimum cited above.

- (b) Irrespective of the foregoing, in order to give individual identity to each dealership, the balance of the front elevation of each building (not more than 40%) may incorporate an architectural style, material, and color unique to that individual dealership; this may contain the dealership's marketing colors, specific logo, and signs as well as, an entrance feature.
- (c) Prior to the issuance of the first Building permit, Applicant shall submit elevations, a list of materials and their manufacturers, and colors to the Western Fairfax County Citizens Association Land Use Committee so that the Association may provide administrative advice and recommendations to the Applicant and the Sully District Supervisor who shall have final approval authority over the materials and colors. Once approved, all buildings shall utilize the approved list of materials and colors.
- (d) For buildings located on lots with frontage on Stonecroft Boulevard, there shall be no vehicular service entrances facing Stonecroft Boulevard.

### **Signage**

9. All signs shall conform with the applicable provisions of the Zoning Ordinance. All signs, other than logo identification signage, shall incorporate consistent design elements including materials, color, font-style and lighting to insure a coordinated image for the Property. In addition, the Property shall be permitted to install and maintain a sign as depicted on Sheet 7 of 9 of the GDP/SE/PCA Plat, which sign shall be setback not less than twelve feet (12') from the right-of-way line. No bunting, flags, balloons, or other types of decorative materials used for promotional purposes shall be located in such a manner as to be visible from off-site, except as otherwise allowed by the provisions of Article 12 of the Zoning Ordinance. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in wayfinding for individual dealerships on the Property. Furthermore, the Applicant shall direct the individual dealerships to adhere to this proffer.

### **Outdoor Lighting**

10. All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance and shall maintain a maximum lighting level of 30 foot-candles. A photometric plan is included in the GDP/SE/PCA Plat and shall be submitted and adhered to as part of the site plan approval. Lighting standards, if any, on the rooftop parking areas shall not exceed 12' in height with cut off fixture at the perimeter.

### **Loading and Unloading**

11. All loading and unloading of vehicles shall be conducted on-site within the limits of each individual dealership. No loading and unloading shall be permitted along Stonecroft Boulevard or Stonecroft Center Court. Signs shall be posted at all entrances to the site, which state that no loading or unloading is permitted along Stonecroft Boulevard or Stonecroft Center Court.

Each dealership shall establish a written operating policy addressing this prohibition. The management of each dealership shall have the affirmative obligation to continually enforce that operating policy and cause all employees of each dealership, all car delivery companies and all other parts and material delivery companies and/or personnel to be advised of that policy. A designee of the vehicle sales establishments shall be available at all times to direct trucks to the loading/unloading areas. No overnight parking of tractor-trailers shall be permitted on Stonecroft Boulevard, Stonecroft Center Court or any other public roadways in the vicinity of the auto park.

### **Recycling**

12. All uses within the auto park shall participate in a recycling program to recycle paper, aluminum, glass, used oil and other appropriate materials. Any car wash facilities will be designed to recycle "a minimum of 80% of the car wash work water," in accordance with Chapter 65 of the Fairfax County Code. Any body shop shall store, contain and dispose of all automobile engine fluids, in containers and per a disposal/recycling program. Prior to site plan approval, the Applicant will consult the Fairfax County Fire Marshall to develop and implement a written plan to cause proper disposal of all petroleum products, antifreeze, solvent, and other potential pollutants used, stored or collected on the Property.

### **Binding Effect**

13. These proffers shall be binding on Applicant and its successors and assigns.

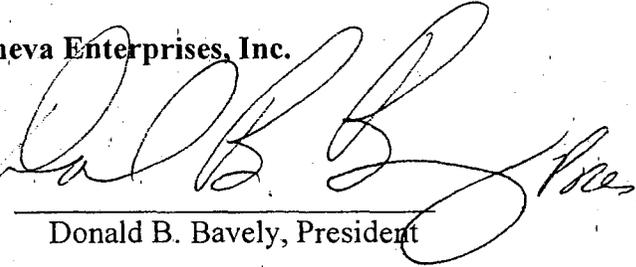
### **Execution in Counterparts**

14. To facilitate execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to this Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

**WEST\*GROUP PROPERTIES LLC**

By: G. T. Halpin  
G. T. Halpin, President

**Geneva Enterprises, Inc.**

By: 

Donald B. Bavely, President

**CAPPO PROPERTIES LLC**

By: \_\_\_\_\_

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

*JEFFREY CAPPO*

Title: \_\_\_\_\_

*MANAGING MEMBER*



## PROPOSED DEVELOPMENT CONDITIONS

SE 2004-SU-027

December 27, 2004

If it is the intent of the Board of Supervisors to approve SE 2004-SU-028 located at Tax Map 33-4 ((1)) 3B and 3G to permit vehicle sale, rental and ancillary service establishments and an increase in sign size and height pursuant to Sect. 4-804 and Sect. 9-620 of the Fairfax County 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 indicated in this application and is not transferable to other land.
2. 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.
3. 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 approved Special Exception plat entitled Stonecroft Business Park, prepared by VIKA, Inc., which is dated April 28, 2004, as revised through December 16, 2004, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. If the buffer strip provided along the Stonecroft Boulevard frontage is less than 25 ft. in width, a continuous masonry wall, four feet in height shall be provided to the west of the plantings depicted on Sheets 6 & 7 of the GDP/SE Plat.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any otherwise applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permits through established procedures, and this Special Exception shall not be valid until all such required Non-RUPs have been obtained.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and has been duly prosecuted. The Board of Supervisors may grant additional time to establish the uses 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.



# 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 • TTY: 703-324-3903

V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

March 9, 2005

Thomas D. Fleury  
West\*Group Management LLC  
1600 Anderson Road  
McLean, Virginia 22102

RE: Rezoning Application Number RZ 2004-SU-028  
(Concurrent with PCA 1999-SU-018 and SE 2004-SU-027)  
(Amended to include complete set of proffers)

Dear Mr. Fleury:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 7, 2005, granting Rezoning Application Number RZ 2004-SU-028 in the name of West\*Group Properties LLC to rezone certain property in the Sully District from I-5 District, Water Supply Protection Overlay and Airport Noise Impact Overlay Districts to the C-8 District, Water Supply Protection Overlay (WS) and Airport Noise Impact Overlay (AN) Districts, located on the west side of Stonecroft Boulevard approximately 1,500 feet south of Lee Jackson Memorial Highway and north and south of Stonecroft Court, (Tax Map 33-4 ((1)) 3B and 3G), subject to the proffers dated January 20, 2005, consisting of approximately 26.77 acres.

Sincerely,

Nancy Veirs  
Clerk to the Board of Supervisors

NV/ns

RZ 2004-SU-028

March 9, 2005

- 2 -

cc: Chairman Gerald E. Connolly  
Supervisor Michael R. Frey, Sully District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch  
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPWES  
Marie Langhorne, Plans & Document Control, OSDS, DPWES  
Deloris Harris, DPWES  
Department of Highways - VDOT  
Kirk Holley, Park Planning Branch Mgr., FCPA  
District Planning Commissioner  
Barbara J. Lippa, Executive Director, Planning Commission  
James Patteson, Director, Facilities Mgmt. Div., DPWES  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

**WEST\*GROUP MANAGEMENT LLC**

TMP 33-4-((1))-3B and 3G

26.77 Acres

**PROFFER STATEMENT - RZ 2004 - SU - 028**

January 20, 2005

Pursuant to Section 15.2-2303 (A) of the Code of Virginia 1950, as amended and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the Property Owner and Applicant and its successors or assigns (hereinafter collectively referred to as the "Applicant") hereby proffer that, subject to the Board of Supervisors' approval of the rezoning application as proposed from the I-5 District to the C-8 District, the development of the parcels under consideration and shown on the 26.77-acre Generalized Development/Special Exception/Proffer Condition Amendment Plat ("GDP/SE/PCA Plat"), dated January 5, 2005, prepared by VIK A, Inc. ("Property"), shall be subject to the terms and conditions listed below. In the event this application is denied, these proffers shall be null and void immediately, and have no further force and effect. Further, if accepted, these proffers and GDP/SE/PCA Plat supersede all other previous proffers and development plans for the Property.

**General**

Use: Vehicle Sale, Rental, and Ancillary Service Establishment as well as accessory service uses in support of the principal use.

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- (b) Building heights shall not exceed a maximum of 40 feet, unless an increase is permitted by the Board pursuant to Sec. 9-607 of the Zoning Ordinance.

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- (d) The lot lines shown on the GDP/SE/PCA Plat may be reconfigured provided that they are in substantial conformance with the GDP/SE/PCA Plat and that:
- No buildable lot shall be less than 40,000 square feet or less than 200 feet in width.
  - The total number of buildable lots shall not exceed 4 without a PCA and amendment to the GDP/SE/PCA Plat.
- (e) The development of the individual lots, with regard to specific design elements such as building entrance features/landscaping, peripheral and interior parking lot landscaping and streetscape along the public access road shall be in substantial conformance with the illustrative exhibits as set forth on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat and with this proffer statement.
- (f) The GDP/SE/PCA Plat shall serve as the required preliminary plan for the purpose of subdivision and site plan requirements in accordance with Section 101-2-1 of the Subdivision Ordinance to be confirmed by DPWES.

### Tree Preservation, Landscaping and Screening

2. Landscaping and screening shall be provided in substantial conformance with the location, quality and quantity of plantings depicted on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat. A landscape plan shall be submitted as part of the site plan. This plan shall be coordinated with, and approved by, the Urban Forest Management (UFM), DPWES, and shall contain the landscaping shown on the GDP/SE/PCA Plat, including streetscape and peripheral and interior parking lot landscaping. All landscaping, except as provided in Paragraph 3, shall be irrigated and maintained by the applicant. The following tree preservation, buffer and wetland preservation shall be incorporated with the subsequent development plans:

- (a) Applicant shall maintain a minimum of 1.5 acre buffer (the "Tree Save Area") along the north property line, approximately 800 feet in length and averaging 100 feet in width for the purpose of preserving the existing specimen willow oaks and other canopy trees and providing a buffer from Dulles Auto Park to the north as generally shown on sheet 6 of 9 of the GDP/SE/PCA Plat. No parking, structures, or other uses, except as permitted below, shall be allowed in this area; fences shall only be permitted as stated below. The area

may be used for passive recreational uses such as nature walks and use of picnic table(s) provided that areas used for such purposes are protected by application and maintenance of 3-4 inches of mulch to preserve the existing natural environment and to minimize the compaction of soil and radical changes to the functioning of the root zone environment. The area shall be placed in a Conservation Easement or "Out Lot", subject to the approval of UFM, drafted to preserve existing vegetation while also permitting the aforementioned passive recreational uses within the preserved forest canopy. The existing specimen trees within the preservation area shall be delineated on the site plan and preserved in accordance with the Public Facilities Manual, subject to the approval of UFM, and industry standards and under the direct supervision of a landscape architect, arborist or urban forester whose license is recognized by the County or State. The limits of the tree save area shall be perpetually demarcated by a split rail or similar fence (which under no circumstances shall be a chain link fence) 42 - 48" in height with two (2) open sections or gates, not greater than forty-eight inches (48") in width, for pedestrian and maintenance access as approved by UFM. The removal of dead, dying, and diseased trees will be permitted only in areas where such trees pose a hazard as determined by UFM.

- (b) **Tree Preservation Walk-Through.** The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading; once identified, the limits shall be adjusted accordingly. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance will also be identified at this time, and the Applicant shall remove them as part of the clearing operation. Any tree that is designated for removal at the edge of the limits of clearing and grading or within a tree preservation area shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to the adjacent trees.
- (c) **Tree Protection Fencing.** All trees shown to be preserved on the GDP/SE/PCA Plat shall be protected during construction by tree protection fencing. Tree protection fencing four (4) feet high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I & II Erosion and Sediment

Control Sheets for those tree save areas depicted on the GDP/SE/PCA Plat. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing, except super silt fencing, shall be performed under the supervision of a certified arborist. Three (3) days prior to the commencement of any clearing, grading or demolition activities, UFM shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

- (d) **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading as shown on the GDP/SE/PCA Plat, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES; however, no utilities shall be permitted in the northern buffer area, and in that area, the limits of clearing and grading shall be strictly adhered to. Minor adjustments to the clearing and grading limits within the central tree save area may be approved by UFM, in consultation with the Applicant's certified arborist or landscape architect based on field location of the quality trees identified by UFM and their driplines. All utility crossings (including stormwater management outfall facilities and sanitary sewer lines) shall be located outside the proposed tree save area, and the floodplain/RPA area at the southeast area of the site as described in Proffer No. 2f.
- (e) Peripheral and interior parking lot landscaping shall be provided in accordance with the PFM and as generally shown on Sheets 6 & 7/9 of the GDP/SE/PCA Plat.
- (f) Applicant shall preserve the floodplain, wetland area and RPA/EQC area shown in the southeast corner of the Property as delineated on Sheet 5 of 9 of the GDP/SE/PCA Plat in undisturbed open space by means consistent with the Public Facilities Manual. There shall be no encroachment during the construction period, or at any time after. The floodplain, wetland area and RPA/EQC area shall be protected during construction by protective fencing as described in 2(c) above. The limits of the floodplain, wetland area and RPA/EQC area shall be perpetually demarcated by a split rail or similar fence (which under no circumstances shall be a chain link fence), 42 - 48" in height with two (2) open sections or gates, not greater than 48" in width, for purposes of maintenance to be located as approved by UFM.
- (g) The cumulative tree coverage of the landscaping provided as outlined in Paragraphs 1(c), 2(a), 2(e), 2(f) and 4 herein shall result in a minimum composite site plan tree coverage calculation of fifteen percent (15%) of the gross site, although individual lots and site plans may provide less than fifteen percent (15%) tree coverage as may be permitted by UFM. In calculating the fifteen percent (15%) tree

coverage the Tree Save Area shall receive a credit factor of 2 in accordance with PFM, Table 12-11 to be confirmed by UFM.

**Stormwater Management**

3. Stormwater Management/BMPs shall be provided as determined by DPWES, unless otherwise modified or waived by the Director of DPWES. If the subject property is served by a single stormwater management/BMP facility, the facility shall be placed in a location that is in substantial conformance with the location shown on the GDP/SE/PCA Plat. In order to restore a natural appearance to the stormwater management pond, the landscape plan submitted as part of the first submission of the first site plan that includes the pond shall show a minimum of ten (10) deciduous trees, 3 - 4" in caliper; 20 conifers, 4 - 6' in height; and 50 shrubs in the planting areas of the pond, in keeping with the planting policies of DPWES, and subject to UFM approval. The plants shall be installed and inspected as a prerequisite of bond release of the first site plan. All landscaping in this stormwater management pond area shall be maintained and watered, but shall not require underground automatic irrigation.

**Stonecroft Boulevard Buffer**

4. In conjunction with the first site plan approval and prior to the issuance of the first Non-RUP, a fifteen-foot (15') wide landscape area shall be constructed along the Property frontage with Stonecroft Boulevard, subject to the approval of UFM. Landscaping materials within this buffer shall be similar in quality and quantity as illustrated on Sheets 6 & 7 of 9 of the GDP/SE/PCA Plat. The planting area shall include a continuous 24" high earthen berm and a continuous evergreen hedge planted at 36" trimmed to a minimum of 48" in height measured from the top of curb on Stonecroft Boulevard as generally depicted on the GDP/SE/PCA Plat to create a continuous, solid screening along the entire frontage of Stonecroft Boulevard. Deciduous canopy trees, a minimum of 3-4 inches in caliper, shall be planted 40 - 60 feet on center along Stonecroft Boulevard frontage in the 15 foot landscape area, as approved by UFM.

**Parking**

5. Each dealership shall accommodate the minimum number of parking and loading spaces as required per the Zoning Ordinance for the corresponding gross floor area and specific use(s). No dealership shall have more than 1,200 spaces, however, the cumulative site total shall not exceed 3,200, including rooftop parking.

- (a) Applicant may utilize parking on the roof of any building on any lot provided such parking is fully screened from Stonecroft Boulevard and Stonecroft Center Court by means of parapets and/or screen walls. Compensatory interior and peripheral parking lot landscaping, if required by DPWES for the rooftop parking, shall be provided elsewhere on the site as determined by UFM at the time of site plan approval. No parking shall be allowed on the access ramps to the roof.

- (b) The outdoor areas devoted to loading, parking and display of vehicles shall be limited to that area so designated on the GDP/SE/PCA Plat, and no vehicles shall be displayed on the site in a manner that will impede the flow of traffic or pedestrian access on-site. The display of vehicles will occur at grade only and no artificial elevation of display vehicles (such as rock piles or ramps) shall be permitted. No parking or display of vehicles shall be permitted along sidewalks or within landscaped or tree save areas. No test-driving of vehicles shall be permitted in landscaped areas.

### Transportation Improvements

6. As a prerequisite to the issuance of the Site Plan approval for the second dealership on the Property, Applicant, at its expense, shall cause a traffic signal warrant study to be completed for the intersection of Stonecroft Center Court and Stonecroft Boulevard. If the study supports the issuance of a warrant for a signal at that intersection, and if that warrant is thereafter accepted by the Virginia Department of Transportation (VDOT) for installation of such a signal, then Applicant shall, at its expense, design and construct a signal at that intersection, or in the alternative, if approved by Fairfax County Department of Transportation (FCDOT), shall contribute the amount of the signal as determined by FCDOT to Bonds and Agreements, DPWES for construction of the signal by others, if required by VDOT.

7. Prior to issuance of the first Non-RUP, a striped, non-signalized, crosswalk shall be installed at the existing eastern curb cut on Tax Map 33-4 ((1)) 3C, connecting with the proposed easternmost curb cut for Building C as shown on the GDP/SE Plat.

### Architectural Theme

8. In order to insure a consistent architectural theme and character throughout the Property, Applicant shall provide a uniform architectural theme for all structures within the Property.

- (a) The percentage of any one exterior material will not be less than approximately 10% nor more than approximately 50% of the total façade. The sides and rear of each building, the parapet wall used to screen roof parking and at least 60% of the front elevations will be comprised of a minimum of 50% masonry material such as brick, architectural concrete units (split faced or ground faced) or in the case of tilt up construction, pre-cast concrete with stone aggregate face, and/or glass. The balance of the façade material will be earth tone color of synthetic stucco or metal panels. All doors will be metal and of the same earth tone colors as the adjacent building material. All materials will be earth tones, from off-white to beige, sand, and/or shades of brown. All glass shall have non-reflective glazing and the same mullions. There shall be no porcelain/ceramic tiles/panels. Accent colors of the same earth tone range to create a distinctive façade base or horizontal bands to transition colors or types of

masonry, brick or precast materials, shall be exempt from the 10% minimum cited above.

- (b) Irrespective of the foregoing, in order to give individual identity to each dealership, the balance of the front elevation of each building (not more than 40%) may incorporate an architectural style, material, and color unique to that individual dealership; this may contain the dealership's marketing colors, specific logo, and signs as well as, an entrance feature.
- (c) Prior to the issuance of the first Building permit, Applicant shall submit elevations, a list of materials and their manufacturers, and colors to the Western Fairfax County Citizens Association Land Use Committee so that the Association may provide administrative advice and recommendations to the Applicant and the Sully District Supervisor who shall have final approval authority over the materials and colors. Once approved, all buildings shall utilize the approved list of materials and colors.
- (d) For buildings located on lots with frontage on Stonecroft Boulevard; there shall be no vehicular service entrances facing Stonecroft Boulevard.

**Signage**

9. All signs shall conform with the applicable provisions of the Zoning Ordinance. All signs, other than logo identification signage, shall incorporate consistent design elements including materials, color, font-style and lighting to insure a coordinated image for the Property. In addition, the Property shall be permitted to install and maintain a sign as depicted on Sheet 7 of 9 of the GDP/SE/PCA Plat, which sign shall be setback not less than twelve feet (12') from the right-of-way line. No bunting, flags, balloons, or other types of decorative materials used for promotional purposes shall be located in such a manner as to be visible from off-site, except as otherwise allowed by the provisions of Article 12 of the Zoning Ordinance. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in wayfinding for individual dealerships on the Property. Furthermore, the Applicant shall direct the individual dealerships to adhere to this proffer.

**Outdoor Lighting**

10. All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance and shall maintain a maximum lighting level of 30 foot-candles. A photometric plan is included in the GDP/SE/PCA Plat and shall be submitted and adhered to as part of the site plan approval. Lighting standards, if any, on the rooftop parking areas shall not exceed 12' in height with cut off fixture at the perimeter.

FILED IN COURT FILE NO. 08-001 P.08  
MAR 08 05  
8-40 NO.001 P.08

**Loading and Unloading**

11. All loading and unloading of vehicles shall be conducted on-site within the limits of each individual dealership. No loading and unloading shall be permitted along Stonecroft Boulevard or Stonecroft Center Court. Signs shall be posted at all entrances to the site, which state that no loading or unloading is permitted along Stonecroft Boulevard or Stonecroft Center Court. Each dealership shall establish a written operating policy addressing this prohibition. The management of each dealership shall have the affirmative obligation to continually enforce that operating policy and cause all employees of each dealership, all car delivery companies and all other parts and material delivery companies and/or personnel to be advised of that policy. A designee of the vehicle sales establishments shall be available at all times to direct trucks to the loading/unloading areas. No overnight parking of tractor-trailers shall be permitted on Stonecroft Boulevard, Stonecroft Center Court or any other public roadways in the vicinity of the auto park.

**Recycling**

12. All uses within the auto park shall participate in a recycling program to recycle paper, aluminum, glass, used oil and other appropriate materials. Any car wash facilities will be designed to recycle "a minimum of 80% of the car wash work water," in accordance with Chapter 65 of the Fairfax County Code. Any body shop shall store, contain and dispose of all automobile engine fluids, in containers and per a disposal/recycling program. Prior to site plan approval, the Applicant will consult the Fairfax County Fire Marshall to develop and implement a written plan to cause proper disposal of all petroleum products, antifreeze, solvent, and other potential pollutants used, stored or collected on the Property.

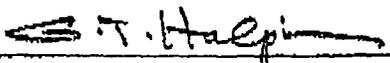
**Binding Effect**

13. These proffers shall be binding on Applicant and its successors and assigns.

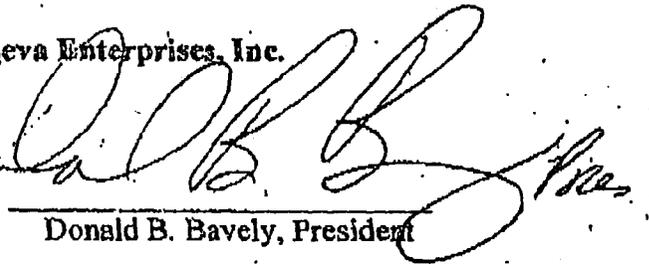
**Execution in Counterparts**

14. To facilitate execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to this Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

**WEST\*GROUP PROPERTIES LLC**

By:   
G. T. Halpin, President

Geneva Enterprises, Inc.

  
By: \_\_\_\_\_

Donald B. Bavelly, President

**CAPPO PROPERTIES LLC**

By: 

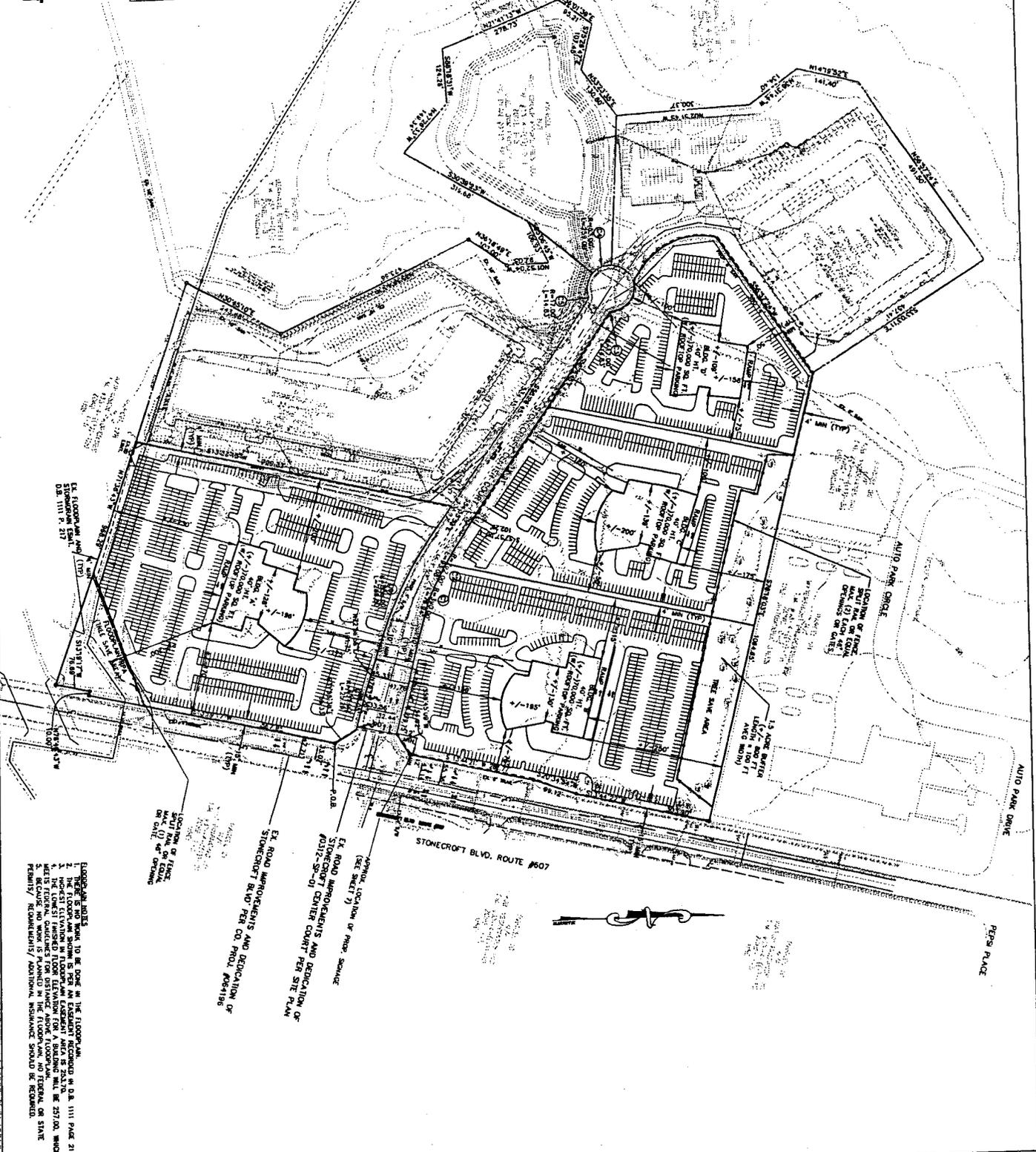
Name: JEFFREY CAPPO

Title: MANAGING MEMBER

**LEGEND**

- LIMIT OF CLEARING AND GRADING (SUBJECT TO REVISION WITH FINAL ENGINEERING)
- APPROX. LIMIT OF E.T. BULKLINE
- PROP. WATERWAY
- PROP. SANITARY SEWER
- APPROX. LOCATION OF PROP. SEWER
- GULLY FINAL FENCE
- PROP. ROAD DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO REVISION.

**GRAPHIC SCALE**  
1" = 100'



**FLOORPLAN NOTES**

1. THE FLOORPLAN SHOWN IS PER AN EXHIBIT RECORDED IN D.E. 1111 PARK 217.
2. THE FLOORPLAN SHOWN IS PER AN EXHIBIT RECORDED IN D.E. 1111 PARK 217.
3. THE DISTANCE FROM THE CENTER OF THE BUILDING TO THE CENTER OF THE ROAD IS 237.00, WHICH MEETS FEDERAL, STATE AND LOCAL REQUIREMENTS FOR DISTANCE FROM FLOORPLAN.
4. THE DISTANCE FROM THE CENTER OF THE BUILDING TO THE CENTER OF THE ROAD IS 237.00, WHICH MEETS FEDERAL, STATE AND LOCAL REQUIREMENTS FOR DISTANCE FROM FLOORPLAN.
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<p><b>GENERALIZED DEVELOPMENT/S.E. PLAN</b></p>		<p><b>STONECROFT BUSINESS PARK</b> SULLY DISTRICT FAIRFAX COUNTY VIRGINIA</p>		<p><b>VIFA</b> ENGINEERS &amp; PLANNERS • LANDSCAPE ARCHITECTS &amp; SURVEYORS &amp; GPS SERVICES</p> <p>VIFA INCORPORATED 8180 GREENSBORO DRIVE • SUITE 200 • McLEAN, VIRGINIA 22102 (703)442-7800 • FAX (703)781-2787 McLEAN, VA • GREENSBORO, NC • LEE'SBURG, VA</p>																																																														
<p><b>VIFA REVISIONS</b></p> <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td>1</td><td>JUN 8, 2004</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>2</td><td>JUN 17, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>3</td><td>JUN 24, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>4</td><td>JUN 30, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>5</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>6</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>7</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>8</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>9</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>10</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>11</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>12</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>13</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>14</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>15</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>16</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>17</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>18</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>19</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> <tr><td>20</td><td>JUL 1, 2004</td><td>REVISIONS TO PERMITS</td></tr> </table>	NO.	DATE	DESCRIPTION	1	JUN 8, 2004	ISSUED FOR PERMITS	2	JUN 17, 2004	REVISIONS TO PERMITS	3	JUN 24, 2004	REVISIONS TO PERMITS	4	JUN 30, 2004	REVISIONS TO PERMITS	5	JUL 1, 2004	REVISIONS TO PERMITS	6	JUL 1, 2004	REVISIONS TO PERMITS	7	JUL 1, 2004	REVISIONS TO PERMITS	8	JUL 1, 2004	REVISIONS TO PERMITS	9	JUL 1, 2004	REVISIONS TO PERMITS	10	JUL 1, 2004	REVISIONS TO PERMITS	11	JUL 1, 2004	REVISIONS TO PERMITS	12	JUL 1, 2004	REVISIONS TO PERMITS	13	JUL 1, 2004	REVISIONS TO PERMITS	14	JUL 1, 2004	REVISIONS TO PERMITS	15	JUL 1, 2004	REVISIONS TO PERMITS	16	JUL 1, 2004	REVISIONS TO PERMITS	17	JUL 1, 2004	REVISIONS TO PERMITS	18	JUL 1, 2004	REVISIONS TO PERMITS	19	JUL 1, 2004	REVISIONS TO PERMITS	20	JUL 1, 2004	REVISIONS TO PERMITS	<p>SCALE: 1"=100'</p>	<p>PROJECT FILE NO. 42296</p>	<p>SHEET NO. 5 of 9</p>
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# 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 • TTY: 703-324-3903

V I R G I N I A  
February 16, 2005

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

Thomas D. Fleury  
West\*Group Management LLC  
1600 Anderson Road  
McLean, Virginia 22102

Re: Special Exception Application Number SE 2004-SU-027  
(Concurrent with RZ 2004-SU-028 and PCA 1999-SU-018)

Dear Mr. Fleury:

At a regular meeting of the Board of Supervisors held on February 7, 2005, the Board approved Special Exception Application Number SE 2004-SU-027 in the name of West\*Group Properties, LLC located on the west side of Stonecroft Boulevard approximately 1,500 feet south of Lee Jackson Memorial Highway and north and south of Stonecroft Court (Tax Map 33-4 ((1)) 3B, and 3G) to permit vehicle sale, rental and ancillary service establishments and an increase in sign size and height pursuant to Sections 4-804 and 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. 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.
3. 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 approved Special Exception Plat entitled Stonecroft Business Park, prepared by VIKA, Inc., which is dated April 28, 2004, as revised through January 5, 2005, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any otherwise applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permits through established procedures, and this Special Exception shall not be valid until all such required Non-RUPs have been obtained.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and has been duly prosecuted. The Board of Supervisors may grant additional time to establish the uses 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.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/ns

cc: Chairman Gerald E. Connolly  
Supervisor Michael R. Frey, Sully District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch  
Audrey Clark, Director, BPRD, DPWES  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,  
Charles Strunk, Project Planning Section, Department of Transportation  
Michelle A. Brickner, Director, Site Development Services, DPWES  
Marie Langhorne, Plans & Document Control, OSDS, DPWES  
Deloris Harris, DPWES - Environment & Facilities Review Division  
Department of Highways, VDOT  
Kirk Holley, Park Planning Branch Mgr., FCPA  
District Planning Commissioner  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools



# County of Fairfax, Virginia

## MEMORANDUM

DATE June 25, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** Land Use Analysis and Environmental Assessment: SEA 2004-SU-027  
PCA 2004-SU-028  
Penske Automotive Group

The memorandum, prepared by Jennifer Bonnette, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject Special Exception Amendment (SEA) and Proffered Condition Amendment (PCA) application dated February 11, 2008 as revised through June 16, 2008 and draft proffers dated June 17, 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, Penske Automotive Group, proposes to amend a portion of a rezoning approved in 2005 that permitted the establishment of several car dealerships on a 26.77 acre property. This case involves a 9.26 portion that was approved for one auto dealership at a maximum of 70,000 square feet. The applicant proposes to amend the previous approval to develop two auto dealerships for a combined 70,000 square feet or .173 floor area ratio (FAR). The northern dealership building is proposed to be 26,500 square feet including a 1,530 square foot car wash area and the southern dealership building is proposed to be 43,500 square feet. Vehicle display areas will surround the buildings on all sides. Access to the site will be provided from two points on Stonecroft Center Court. The southeastern corner of the property is located within a Resource Protection Area (RPA)/Environmental Quality Corridor (EQC).

### LOCATION AND CHARACTER OF THE AREA

The subject property is located in the southwest quadrant of intersection of Stonecroft Boulevard and Stonecroft Center Court. The property is bounded on the south by Cain Branch with industrial uses further southward and zoned I-5. The properties on the north, east and west are planned for industrial use and zoned C-8, I-3 and I-5 respectively. A warehouse facility borders the property on the west and one existing and one approved auto dealership are

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/](http://www.fairfaxcounty.gov/dpz/)

located to the north. Vacant land and Cain Branch exist to the east across Stonecroft Boulevard.

### **COMPREHENSIVE PLAN CITATIONS:**

#### **Land Use**

In the Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles Suburban Center, Dulles Suburban Center Land Unit Recommendations, Land Unit H, as amended through August 6, 2007, pages 113 - 115, the Plan states:

- “1. Land Unit H is planned for industrial, research and development, and industrial/flex uses up to a maximum FAR of .35.
2. An auto park may be appropriate as an optional use on Parcels 33-2((1))6 and 6A, if the conditions listed below are met. An auto park is defined as a large tract of land that accommodates two or more dealers engaged in automobile sales and service, as well as related ancillary services.

#### Conditions:

- The auto park is a minimum of 50 acres in size;
- A unified development plan is provided for the entire site, recognizing that development may be phased as dealerships are added to the park;
- The primary uses in the auto sales park are all related to vehicle sales and service. Ancillary uses to serve customers may also be considered;. . . .
- Development should be oriented to Willard Road, preferably with building placement designed to screen outside display and storage facilities from Route 50. Substantial setbacks, screening and landscaping should be provided along Willard Road to establish a campus-style setting. Signage at the auto park entrance(s) may be appropriate.”

#### **Environment**

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, pages 7 to 19, the Plan states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Policy j. Regulate land use activities to protect surface and groundwater resources.

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques...

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

**Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .

**Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way. . . .

**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 section of the *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<sup>®</sup>) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR<sup>®</sup> 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 nonmotorized 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: Industrial and Public Parks**

### **LAND USE ANALYSIS**

The applicant is proposing to develop two auto dealerships at the same intensity of the single auto dealership approved in a 2005 rezoning. The proposed car wash will be integrated with one of the two proposed buildings. The applicant has provided building elevations as part of the Partial PCA Plan/SE Plat and proffered to building materials that will be used for the buildings. No freestanding signs are proposed. Approximately 25 percent open space is proposed, above the 15 percent open space requirement for the C-8 District. The landscape plan includes deciduous trees along the property's borders with Stonecroft Boulevard and Stonecroft Center Court and along the border shared with a warehouse facility. A 25 foot setback is proposed from Stonecroft Boulevard (referred to as Willard Road in the Comprehensive Plan) with street trees planted approximately 25 feet apart adjacent to the existing six foot wide asphalt trail. Planting beds with native shrubs and perennials are proposed at the corner of the two streets and along the property's frontage. The development plan shows that the RPA/EQC will be replanted with deciduous and evergreen trees.

### **ENVIRONMENTAL ANALYSIS**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

**Water Quality** The subject property is located in the Cub Run watershed. A small portion of the property located in the southeastern corner is part of the Cain Branch RPA/EQC. This area appears to be properly delineated on the development plans and the limits of clearing and grading are outside of this protected area. However, the clearing and grading line located in the area where Stonecroft Boulevard intersects with the RPA/EQC is drawn immediately adjacent to the RPA/EQC. It has been recommended to the applicant that the clearing and grading limits be pulled back several feet from the RPA/EQC in this area. The applicant proposes to plant additional trees within the RPA/EQC to supplement the existing tree save area.

8.31 acres of the 9.26 acre site drains to an existing stormwater management/best management practices (SWM/BMP) pond constructed to handle runoff from the original 48.85 acre Stonecroft development. The remaining 0.95 acres of the site will remain undisturbed and flow off the site as undetained sheet flow. The phosphorus removal requirement for the site is 50 percent because the site lies with the water supply overlay district. The SWM/BMP pond provides 50 percent phosphorus removal for the overall development. The adequacy of the submission materials as well as any proposed SWM/BMP measures will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

**Vegetation** The site is mostly treeless with the exception of the southern boundary with the Cain Branch RPA/EQC. The applicant proposes to plant additional trees within the RPA/EQC to supplement the existing tree save area. Additionally, the applicant has proffered to an invasive plant removal plan for all areas shown on the development plans to be preserved through open space, tree preservation, reforestation and limits of clearing and grading. The plan will be submitted for review and approval by the Urban Forestry Division. Extensive invasive plants have been found on the property.

**Green Building Design** The subject property is located in a specially designated area of the county where applicants are strongly encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification. However, since this application is an amendment to a previous rezoning with limited changes, LEED certification is recommended, but other measures may be taken to ensure optimization of the development's energy performance. The applicant has proffered to several green building practices, including:

- Have a LEED accredited professional (AP) as a member of the design team who will work with the team to incorporate LEED design elements into the project;
- Include, as part of the building plan submission, a list prepared by the LEED-AP of specific practices that the applicant anticipates implementing in the project; and
- Create a green building maintenance reference manual to be used by future building occupants.

While the applicant has indicated that the proposed development will include greenbuilding practices, the applicant has not committed to attaining basic LEED certification. To ensure

that the site's energy performance will be optimized, at a minimum, it is recommended that the applicant commit to providing appliances, fixtures, systems and building components that are ENERGY STAR qualified. These items are to include heating and cooling systems, vending machines, ceiling fans, ventilation fans, light fixtures, exit signs, programmable thermostats, windows and doors, skylights, computers, monitors, printers, laptops, fax machines, copiers, mailing machines, scanners, kitchen appliances, and televisions and other home electronic equipment that may be part of the proposed development.

#### **COUNTYWIDE TRAILS PLAN**

No trails are depicted on the Countywide Trails Plan Map.

PGN: JRB

### **Additional Plan Citations:**

In the Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles Suburban Center, as amended through August 6, 2007, pages 129 - 132, the Plan states:

#### **“I. DESIGN GUIDELINES FOR DULLES SUBURBAN CENTER**

Objective: The design guidelines are intended to facilitate the integration of new development with existing and future development, to ensure that the various land uses function well together from the point of view of the user, thus contributing to the overall positive image of the Suburban Center as a high quality area to live, work, shop or visit.

### **SITE PLANNING**

#### **General**

- Provide buffers and screening where necessary to protect adjacent neighborhoods or other less intense uses, recognizing that preservation of natural beauty in transitional areas enhances the visual quality of the development.
- Where feasible, minimize areas of impervious surface through shared parking, decked or structured parking; or increased building height; or other measures as appropriate.
- Plan development to ensure substantial usable open space.
- Minimize the disturbance of environmental resources and topography, by integrating existing vegetation, trees and topography into site design.
- Preserve or recover and record significant heritage resources, integrating them into site design where feasible.
- Separate auto and truck traffic on site for light industrial development, providing separate truck parking, loading and vehicle maintenance areas. For plants with large truck traffic volumes, provide vehicle entrances and exits separate from those for visitors.
- Design retail shopping development in physically unified complexes, not as scattered free-standing structures.
- Design safe separate pedestrian and vehicular circulation patterns for retail development, to encourage shoppers to walk from store to store.
- Limit access to arterial roads from retail development, relying on service roads or access to secondary roads that have access to arterials.

#### **Transit Access**

- Provide pedestrians, including those with disabilities, with safe and convenient access between bus stops and building entrances, using the shortest route possible.

- Provide bus shelters that protect patrons from the weather, and that are safe, easy to maintain, and relatively vandal-proof.
- Plan transportation facilities, such as bus pullouts, in the initial design of the road network. Design roads to accommodate heavy-weight and large-vehicle requirements.

#### **Vehicular and Pedestrian Access**

- Provide separate auto and pedestrian circulation systems for a safe environment that encourages walking rather than auto use for short trips.
- Design safe pedestrian crossings at roads with good lighting and access elements such as ramps for persons with disabilities.
- Provide pedestrian links to adjacent development and to the regional and countywide trail systems, connecting local sites with the larger community and enhancing the continuity of the larger systems.
- Use a hierarchical system of internal drives and roadways; do not access parking directly onto major arterial roads.
- Encourage bicycle use with bicycle routes and secure convenient bicycle storage for use by commuters, recreational users, and people cycling to the local shopping center.

#### **Parking and Loading Areas**

- Encourage parking in either structures, decks or well-screened, off-street parking areas on the sides or at the back of buildings. If it is not possible to accommodate parking behind or beside buildings, minimize parking in front of buildings.
- Locate priority parking spaces for carpools and vanpools close to the employee entrance of the building or parking structure, to encourage ride-sharing.
- Integrate the design of parking structures with that for the buildings served. Landscape both on the parking structure and adjacent to it, to make the structure more attractive.
- Design Park and Ride Lots to be compatible with adjacent development and cause as little disruption as possible to the surrounding natural setting. Trees and other vegetation should be preserved as screening.
- Segregate service, maintenance and loading zones from employee and visitor vehicle parking areas.
- Screen parking lots to control the view from the street right-of-way, adjacent development, and buildings being served by the lot. Use plant materials, walls,

fences or earth berms. Break up large parking lots into smaller lots by using planting areas as dividers.

- Locate or screen the lights within parking lots to minimize glare on adjacent buildings or residential areas.

### **Open Space/Environmental and Heritage Resources Protection**

- Provide for a continuous open space system linking activity nodes internally and externally. Use natural environmental areas as transitions between developments, as visual amenities, passive recreation corridors, and as wildlife corridors.
- Increase the benefit from stormwater detention facilities by designing them as open space amenities, i.e., small parks with landscaping and seating and/or picnic areas.
- Use grass swales for surface drainage whenever possible rather than channelization.

### **Buffers and Screening**

- Use natural landscape to create edges and provide buffering to help define development.
- Utilize architectural and landscape elements (such as walls, berms, trees, varying scales and building masses, etc.) as visual buffers between commercial and non-commercial uses, as well as to mitigate impacts of highway noise.
- Screen from public view rooftop mechanical equipment, materials storage, utility substations and the like.
- Mitigate the impact of blank walls on the side and back of retail buildings with landscaping, screening and buffering. Avoid long expanses of blank walls along major roads, when feasible.

### **Utility/Service Areas**

- Place utilities underground to the extent possible. Keep utility corridors separate from landscaping corridors to avoid disturbing vegetation during utility maintenance.
- Provide for safe and well-screened on-site storage of refuse generated by commercial and industrial uses, including walled enclosures for dumpsters. Design recycling facilities to be accessible but well-screened.

## **ARCHITECTURAL DESIGN**

### **Scale/Mass/Form/Facades**

- When development is near existing residential areas, provide general consistency of scale and mass between residential and non-residential development.

- Establish an architectural theme for multi-building complexes, utilizing similar materials and relating building elements such as entries, windows, and roof lines.
- Incorporate plazas at major building entrances or in the center of a group of buildings. Such plazas could feature special paving, seating, planting, water features such as fountains, and public art.

## **STREETSCAPE**

### **Landscaping**

- Provide a well-landscaped, high-quality image both toward the street and on any facade that can be seen from adjacent buildings or side streets.
- Provide color, texture and seasonal visual interest at major architectural and site focal points by using flowers and ornamental, deciduous and evergreen shrubs, trees, etc.
- Preserve existing high quality vegetation and integrate it with development to the greatest possible extent. Restore disturbed natural areas to be a visually appealing landscape.
- Select low-maintenance landscape materials for areas not likely to receive consistent maintenance.

### **Signage/Street Furniture**

- Create a signage style for a given development complex and carry it out consistently at major roads entering the complex and at building site entries. Comprehensive sign systems that establish a distinctive theme and identity and eliminate visual clutter are desirable. Building-mounted signs and ground-mounted shopping center signs incorporated within a planting strip are encouraged. Freestanding and pole-mounted signs are discouraged.
- At major intersections, place street signs on mast arms overhead.
- Provide street furniture including utilitarian items such as benches, trash receptacles, and planters. Street furniture should be durable, require low maintenance, and be easily repaired or replaced.
- Use benches or other seating in courtyards, along pathways, near building entries, or in any other public area. Seating should be located so as not to impede pedestrian traffic.
- Place trash receptacles conveniently and strategically along major walkways, near building entrances, and in seating areas. Locate receptacles so as not to impede pedestrian traffic.

- Within the Sully Historic District all signs, fences, street furniture, outdoor graphics should be designed and installed to be compatible with the Sully Historic Site in terms of mass, scale, color and visual impact.

**Lighting**

- Develop a comprehensive lighting plan for a given development complex, in order to provide unity and a coordinated appearance, thus contributing to a positive sense of orientation and identity for motorists and pedestrians.
- Provide exterior lighting that enhances nighttime safety and circulation, as well as highlighting special features to act as landmarks for motorists.
- Design lighting in a manner that minimizes glare onto adjacent sites.”



# County of Fairfax, Virginia

## MEMORANDUM

June 2, 2008

**TO:** William J. O'Donnell, Jr. AICP, Planner II

**FROM:** Phyllis Wilson, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Stonecroft Business Park Parcel 3B  
PCA 2004-SU-028  
SEA 2004-SU-027

A review of the CDP/Plat stamped as received by the Department of Planning and Zoning on May 12, 2008 has been reviewed and the following issues are noted in regard to the tree cover requirements and the landscaping requirements that will become issues at time of site plan review:

1. As shown, tree cover may not be met at time of site plan review because many trees are shown to be planted in areas not meeting the minimum 8' wide planting area, as detailed in PFM 12-0702.1B(2). Also, these trees shall not be counted toward meeting peripheral or interior parking lot landscape requirements. These trees do not have a reasonable expectation to live and thrive for a minimum of ten years, as required by the PFM.
2. The planting plan shown for the area at the southeast corner of the lot is within a sensitive environmental area. This area is currently over-run with noxious non-native and invasive tree and shrub species that do not meet requirements for inclusion into tree cover calculations. Proffers should be included to require an environmentally responsible program for removal of this non-desirable vegetation prior to planting the trees shown on the landscape plan. Specific details of this eradication program should be included in the site plan and shall be to the satisfaction of the Urban Forester.

PAW/  
UFMID #: 136943

cc: RA File

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)





# County of Fairfax, Virginia

## MEMORANDUM

DATE: August 12, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT

FILE: 3-5 (RZ 2004-SU-028)

SUBJECT: SECOND ADDENDUM: SEA 2004-SU-028; Penske Automotive Group  
Land Identification Map: 33-4-((1))-3B

*AKR*

This department has reviewed the special exception amendment plat revised through July 25, 2008. We have the following comments.

- COMMENT: The eastern entrance on the property should be moved westward to align with an opposite entrance on parcel 33-4-((1))-3G1. Such a scenario was presented in the applicant's previous approval and it remains the preferable option for this site. If such an alignment is not possible, all efforts should be made to eliminate left turn movements from Stonecroft Center Court into the site by relocating the eastern entrance behind the raised median for a right-in, right-out only entrance. VDOT has raised a similar concern and the issue will need to be addressed at site plan.

OUTCOME: The applicant has relocated its western entrance to align with the opposite driveway on parcel 33-4-((1))-3G1 and moved its eastern entrance behind the raised median. These revisions adequately address the aforementioned issue.
- COMMENT: Sight distance should be verified at the proposed entrances.

OUTCOME: Sight distance has been displayed and verified on Sheet 8 of the plat.
- Per site plan requirements, an interparcel access agreement will need to be secured between the applicant's property and the property to the south, Tax Map 33-4-((1))-12B.

AKR/MEC



# County of Fairfax, Virginia

## MEMORANDUM

DATE: June 17, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT

FILE: 3-5 (RZ 2004-SU-028)

SUBJECT: ADDENDUM: SEA 2004-SU-028; Penske Automotive Group  
Land Identification Map: 33-4-((1))-3B

This department has reviewed the special exception amendment plat revised through June 16, 2008. We have the following comments.

- COMMENT: The eastern entrance on the property should be moved westward to align with an opposite entrance on parcel 33-4-((1))-3G1. Such a scenario was presented in the applicant's previous approval and it remains the preferable option for this site. If such an alignment is not possible, all efforts should be made to eliminate left turn movements from Stonecroft Center Court into the site by relocating the eastern entrance behind the raised median for a right-in, right-out only entrance. VDOT has raised a similar concern and the issue will need to be addressed at site plan.  
OUTCOME: The applicant has relocated its western entrance to align with the opposite driveway on parcel 33-4-((1))-3G1 and moved its eastern entrance behind the raised median. These revisions adequately address the aforementioned issue.
- Sight distance should be verified at the proposed entrances.

AKR/MEC

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services



# County of Fairfax, Virginia

## MEMORANDUM

DATE: May 23, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT 

FILE: 3-5 (RZ 2004-SU-027)

SUBJECT: SEA 2004-SU-027; Penske Automotive Group  
Land Identification Map: 33-4-((1))-3B

This department has reviewed the special exception amendment plat revised through May 5, 2008. We have the following comments.

- The eastern entrance on the property should be moved westward to align with an opposite entrance on parcel 33-4-((1))-3G1. Such a scenario was presented in the applicant's previous approval and it remains the preferable option for this site. VDOT has raised a similar concern and the issue will need to be addressed at site plan.
- Sight distance should be verified at the proposed entrances.

AKR/MEC

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services



# FAIRFAX COUNTY PARK AUTHORITY

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## MEMORANDUM



**TO:** Regina M. Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, Manager  
Park Planning Branch 

**DATE:** May 21, 2008

**SUBJECT:** PCA 2004-SU-028 Conc. with SEA 2004-SU-027, United Auto Group  
Tax Map Number: 33-4 ((1)) 3B

### BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated March 2008, for the above referenced application. Under an existing special exception and proffers, the applicant has been approved to develop the subject property with a single 70,000 square foot building and associated facilities for auto sales and service. The applicant seeks the Proffer Condition Amendment and Special Exception Amendment to develop the property with two buildings with a total combined square footage of 70,000 square feet with associated facilities for two auto dealerships.

### COMPREHENSIVE PLAN CITATIONS

**1. Resource Protection (The Policy Plan, Parks and Recreation Objectives 2 & 5, pp. 5-7)**

**“Objective 2: Protect appropriate land areas in a natural state to ensure preservation of significant and sensitive natural resources.”**

“Policy g: Protect parklands from encroachments and minimize adverse human impacts to natural areas.”

“Policy j: Minimize adverse impacts of development on water resources and stream valleys.”

“Policy k: Minimize the effects of storm water outfalls on parkland.”

**“Objective 5: Ensure the long term protection, preservation and sustainability of park resources.”**

“Policy a: Protect parklands from adverse impacts of off-site development and uses. Specifically, identify impacts from development proposals that may negatively affect parklands and private properties under protective easements and require mitigation and/or restoration measures, as appropriate.”

## **ANALYSIS AND RECOMMENDATIONS**

A portion of the Cub Run Stream Valley Park owned and operated by the Park Authority is in close proximity to the project area.

Due to the rate of runoff from, and heat accumulated on extensive paved surfaces, such as large parking lots, the Park Authority requests that the applicant incorporate LID and Natural Landscaping methods into the site design. Staff requests that the applicant use an open swale on the western property edge and plant hardwood trees along the southern edge of the property or allow this area reforest naturally. Doing so would greatly reduce environmental impacts, minimize degradation to the surrounding habitat and improve the built environment for employees as well as clients.

FCPA Reviewer: Andy Galusha  
DPZ Coordinator: William O'Donnell

cc: Cindy Walsh, Acting Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Chron Binder  
File Copy



# County of Fairfax, Virginia

## MEMORANDUM

MAY 19 2008

**DATE:**

**TO:** William O'Donnell, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Qayyum Khan, Chief Stormwater Engineer *QK*  
Stormwater and Geotechnical Section  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffered Condition Amendment and Special Exception Amendment Application, PCA 2004-SU-028 and SEA 2004-SU-027, United Auto Group, Inc., Plat Dated May 12, 2008, LDS Project #312-ZONA-004-1, Tax Map #033-4-01-0003-B, Sully District, Cub Run Watershed

We have reviewed the subject plan and offer the following information related to Stormwater Management: (SWM):

Chesapeake Bay Preservation Ordinance

There is a Resource Protection Area (RPA) on the south-east corner of the property. The project is located within the Water Supply Protection Overlay District. A phosphorus removal efficiency of 50% has been provided for this project. There shall be no encroachment into the RPA by the proposed project.

Floodplain

There is a regulated floodplain along the RPA delineation on the property.

Site Outfall and SWM

The applicant proposed to use the existing offsite pond, constructed for the Stonecroft Development (Plan #312-SP-03) for stormwater detention and best management practice for the subject project. The applicant will need to execute an agreement with the pond owners to make use of their pond. The sewers should convey runoff from the project site to the pond by non-pressure flow.

If further assistance is desired, please contact me at 703-324-1720.

QK/dah

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Zoning Application File

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359





FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard, Fairfax, Virginia 22031  
www.fairfaxwater.org

**PLANNING & ENGINEERING  
DIVISION**

Jamie Bain Hedges, P.E.  
Director  
(703) 289-6325  
Fax (703) 289-6382

March 31, 2008

Ms. Regina Coyle, Director  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5505

Re: PCA 04-SU-028  
SEA 04-SU-027  
Stonecroft Business Park

Dear Ms. Coyle:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch and 8-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm, with comments pertaining to the proposed water system layout.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

A handwritten signature in black ink that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.  
Manager, Planning Department

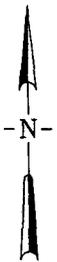
Enclosure

Fairfax Water  
 Planning and Engineering Division  
 Technical Services Branch

PIPE MATERIAL LEGEND

- A.C.P.
- C.I.P.
- D.I.P.
- P.C.C.P.
- STEEL
- COPPER
- PLASTIC
- GALVANIZED
- - - APPROVED CONST.

- XX AS-BUILT COMPLETE
- XX AS-BUILT INCOMPLETE
- XX AS-BUILT NOT DRAWN



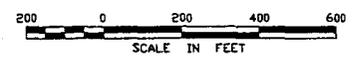
VCS-83 COORDINATE SYSTEM - 1000 FOOT GRID  
 VIRGINIA STATE PLANE, NORTH, FEET  
 NAD-83 DATUM

CONTOUR INTERVAL 5-FOOT

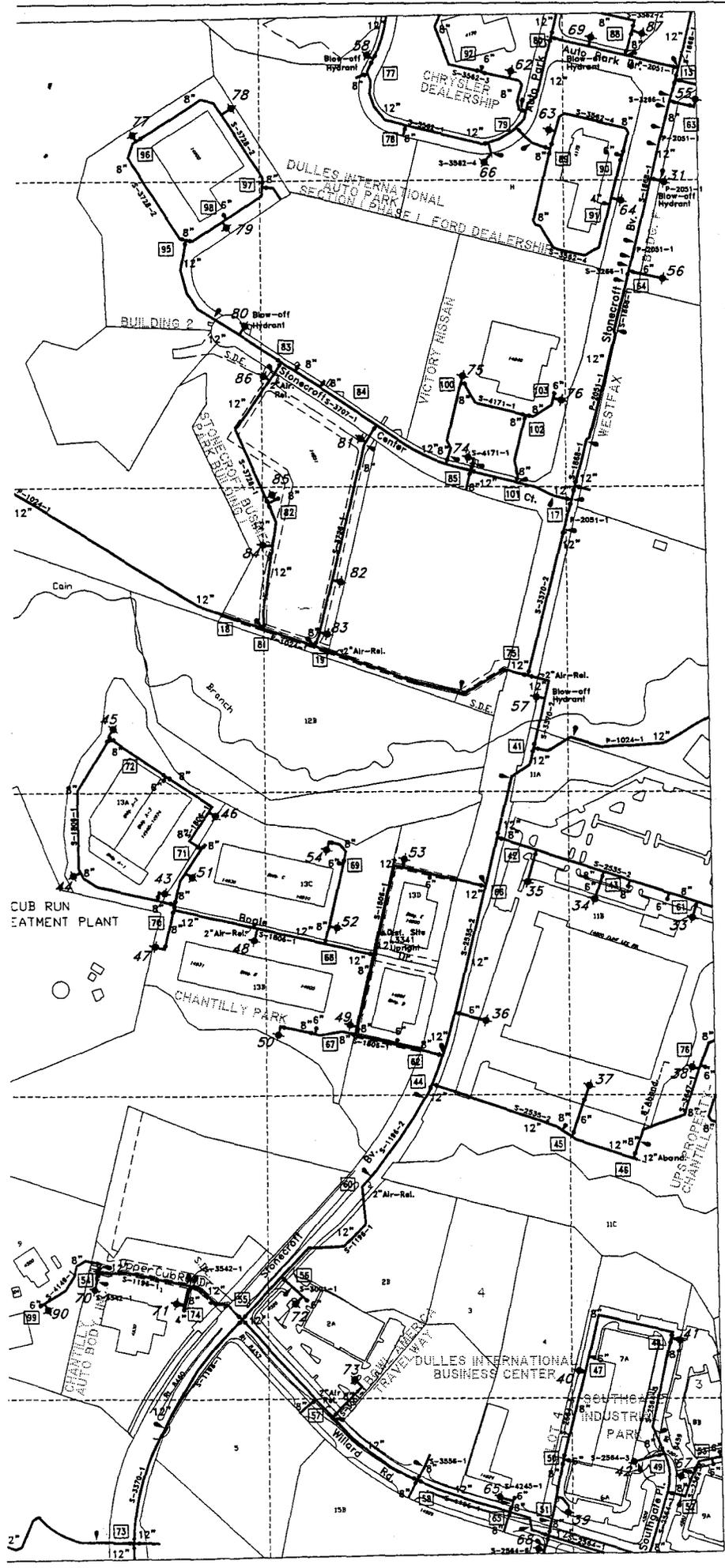
33-1	33-2	34-1
33-3	33-4	34-3
43-1	43-2	44-1

JANUARY 2007

FAIRFAX COUNTY  
 SECTION  
 33-4



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# County of Fairfax, Virginia

## MEMORANDUM

DATE: April 3, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Office of Comprehensive Planning

**FROM:** Ralph Dulaney (246-3868)  
Information Technology Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Proffer Condition  
Amendment PCA 2004-SU-028 and Special Exception Amendment SEA 2004-SU-027

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #415, Chantilly.
2. After construction programmed \_\_\_\_\_ this property will be serviced by the fire station \_\_\_\_\_
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and  
Serving Our Community

Fire and Rescue Department  
4100 Chain Bridge Road  
Fairfax, VA 22030  
703-246-2126  
www.fairfaxcounty.gov



MEMORANDUM

TO: Staff Coordinator DATE: May 12, 2008  
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*  
 System Engineering & Monitoring Division  
 Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. PCA 2004-SU-028 CONC. /W SEA 2004-SU-027  
 Tax Map No. 033-4- ((01)) 0003B

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewerred into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8-inch line located in STONECROFT CENTER DRIVE and APPROX. 50 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application + Previous Rezoning</u>		<u>Existing Use + Application + Comp. Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Submain	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Main/Trunk	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>X</u>	<u>_____</u>
Interceptor	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Outfall	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

5. Other pertinent information or comments:

## SPECIAL EXCEPTIONS

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.

9-007

**Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

**Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

## FAIRFAX COUNTY ZONING ORDINANCE

9. The off-street parking requirement shall be based on one (1) space per 200 square feet of net floor area for the first 1000 square feet, plus six (6) spaces per each additional 1000 square feet; plus one (1) space per 500 square feet of outdoor sales/display area to include greenhouses used for the sales/display of plant materials; plus one (1) space per employee and company/commercial vehicle and sufficient space for the parking of any related equipment for landscape contracting services as an accessory component. However, the Board, in its review of a plant nursery, may modify this parking requirement, based on the specific characteristics of the plant nursery use, such as the size and scale and/or the types of accessory uses, when the applicant has demonstrated that fewer parking spaces than those required above will adequately serve the plant nursery and all accessory uses. All off-street parking areas, including aisles and driveways shall be constructed and maintained with a dustless surface in accordance with the provisions of the Public Facilities Manual, unless a modification or waiver of the dustless surface requirement is approved by the Director.

9-518

### **Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments**

1. Outdoor storage, parking and display areas shall be permitted only on the same lot with and ancillary to a sales room, rental office or service facility, which shall be entirely enclosed on all sides.
2. The outdoor area devoted to storage, loading, parking and display of goods shall be limited to that area so designated on an approved special exception plat. Such areas shall not be used for the storage or display of vehicles that are not in operating condition.
3. Notwithstanding the bulk regulations of the zoning district in which located, any such outdoor area that is located on the ground and is open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13.

All structures shall be subject to the bulk regulations of the zoning district in which located, except structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.
4. All such uses shall be provided with safe and convenient access to a street. If any outdoor area is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.
5. All outdoor areas, including aisles and driveways, shall be constructed and maintained with an approved surface in accordance with Par. 11 of Sect. 11-102, and shall be improved in accordance with construction standards presented in the Public Facilities Manual.
6. All lighting fixtures used to illuminate such outdoor areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.

## SPECIAL EXCEPTIONS

7. In the C-3, C-4, I-3, I-4, I-5, PDC, PRC and PRM Districts, only vehicle rental establishments may be allowed and such use shall be subject to Paragraphs 1 through 6 above and the following:
  - A. Vehicle rental establishments shall be limited to the rental of automobiles and passenger vans and the rental of trucks or other vehicles shall not be permitted.
  - B. There may be a maximum of twenty-five (25) rental vehicles stored on site and such vehicles shall be stored in a portion of the parking lot designated on the special exception plat for the storage of rental vehicles.
  - C. There shall be no maintenance or refueling of the rental vehicles on-site.

### **9-519 Additional Standards for Wholesale Trade Establishments**

1. All business, service, storage and display of goods shall be conducted within a completely enclosed building.

### **9-520 Additional Standards for Commercial Off-Street Parking in Metro Station Areas as a Temporary Use**

The purpose of this special exception is to provide for an interim solution to Metro Station parking deficiencies by allowing private property within a specified distance of a Metro Station to be used temporarily for parking. The temporary parking lot use is intended only as an interim use to serve a public need and not as a transitional use to a higher density or intensity development than currently is planned. To this end, the Board may approve a special exception to allow a privately operated commercial off-street parking lot, as a temporary use, in Metro Station areas, but only in accordance with the following provisions:

In all districts where permitted by special exception:

1. The site for the proposed parking area shall not be used for any purpose other than to provide ground surface parking of motor vehicles for the general public. No motor vehicle repair work except emergency service shall be permitted in association with any such off-street parking area.
2. The applicant shall demonstrate that the use of a site for temporary off-street parking and all improvements thereof shall not preclude the ultimate development of the site in accordance with the existing zoning, any proffered conditions, approved development plans, and/or the adopted comprehensive plan.
3. In addition to the submission requirements set forth in Sect. 011 above, grading plans and plans for drainage provisions shall be provided. Any grading associated with the use of a site for temporary off-street parking shall be limited to that which should be allowed for the permanent development of the site in accordance with the existing zoning, any proffered conditions, approved development plans, and/or the adopted comprehensive plan.

## 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 screening.

**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 Sect. 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.

**dba:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dba 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 plat. 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; an FDP 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 are 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 into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or 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 assigns 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, et 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 to 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		